

HEALTH AND SAFETY OF PROFESSIONAL BOXING

Y 4. C 73/7: S. HRG. 103-790

Health and Safety of Professional B...

HEARINGS

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

JANUARY 20, AND SEPTEMBER 22, 1994

Printed for the use of the Committee on Commerce, Science, and Transportation



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20402

DEC 20

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20402

U.S. GOVERNMENT PRINTING OFFICE

75-975 CC

WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-046067-0

HEALTH AND SAFETY OF PROFESSIONAL BOXING

Y 4. C 73/7: S. HRG. 103-790

Health and Safety of Professional B...

HEARINGS

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

JANUARY 20, AND SEPTEMBER 22, 1994

Printed for the use of the Committee on Commerce, Science, and Transportation



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20402

DEC 20

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20402

U.S. GOVERNMENT PRINTING OFFICE

75-975 CC

WASHINGTON : 1994

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-046067-0

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ERNEST F. HOLLINGS, South Carolina, *Chairman*

DANIEL K. INOUE, Hawaii

WENDELL H. FORD, Kentucky

J. JAMES EXON, Nebraska

JOHN D. ROCKEFELLER IV, West Virginia

JOHN F. KERRY, Massachusetts

JOHN B. BREAU, Louisiana

RICHARD H. BRYAN, Nevada

CHARLES S. ROBB, Virginia

BYRON L. DORGAN, North Dakota

HARLAN MATHEWS, Tennessee

JOHN C. DANFORTH, Missouri

BOB PACKWOOD, Oregon

LARRY PRESSLER, South Dakota

TED STEVENS, Alaska

JOHN MCCAIN, Arizona

CONRAD BURNS, Montana

SLADE GORTON, Washington

TRENT LOTT, Mississippi

KAY BAILEY HUTCHISON, Texas

KEVIN G. CURTIN, *Chief Counsel and Staff Director*

JONATHAN CHAMBERS, *Republican Staff Director*

C O N T E N T S

Page

JANUARY 20, 1994

Opening statement of Senator Bryan	1
Opening statement of Senator McCain	3
Prepared statement	5
Prepared statement of Senator Roth	36

LIST OF WITNESSES

Bernstein, Al, Broadcaster, Professional Sport, Henderson, NV	20
Capanna, Dr. Albert, Neurosurgeon, Las Vegas, NV	44
Coffee, Jerome, Las Vegas, NV	42
Futch, Eddy	48
Hall, Jimmy, Administrative Inspector for the Office of Athletics, Missouri Department of Athletics, Jefferson City, MO	12
Hazelton, Donald, State of Florida Athletic Commission, Tallahassee, FL	14
Prepared statement	18
Homansky, Dr. Flip, Las Vegas, NV	59
Jarman, Patricia, International Professional Boxing Judge, Las Vegas, NV	11
Lane, Hon. Mills, Judge, Second Judicial District Court, Reno, NV	7
Prepared statement	9

SEPTEMBER 22, 1994

Opening statement of Senator Bryan	63
Prepared statement	66
Opening statement of Senator Dorgan	80
Opening statement of Senator Hollings	65
Opening statement of Senator McCain	67
Prepared statement	70

LIST OF WITNESSES

Holladay, John H., Jr., Chairman, South Carolina State Athletic Commission	91
Prepared statement	93
Homansky, Dr. Flip, Chairman of the State of Nevada Athletic Commission's Medical Advisory Board	94
Ratner, Marc, Executive Director of the Nevada State Athletic Commission and Vice President of the Association of Boxing Commissions	86
Prepared statement	87
Roth, Hon. William V., Jr., U.S. Senator from Delaware	82
Prepared statement	84

APPENDIX

Citro, Ralph W., Ralph Citro, Inc., prepared statement of	109
Giovinazzo, Dr. Vincent J., M.D., prepared statement of	110
Ultimate Fighting Championship II (article), New York Daily News, Mar. 11, 1994, by Mark Kriegel	112

HEALTH AND SAFETY OF PROFESSIONAL BOXING

THURSDAY, JANUARY 20, 1994

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
Las Vegas, NV.

The committee met, pursuant to notice, at 9:30 a.m. in the Convention Center Board Room, 3150 Paradise Road, Las Vegas, NV, Hon. Richard H. Bryan, presiding.

Staff members assigned to this hearing: Moses Boyd, senior counsel; and Sherman Joyce, minority professional staff member.

OPENING STATEMENT OF SENATOR BRYAN

Senator BRYAN. Good morning, ladies and gentlemen, and welcome to today's field hearing by the U.S. Senate Commerce, Science, and Transportation Committee. Today's hearing will examine health and safety issues relating to professional boxing. We will be reviewing the role of State governments in establishing health and safety regulations, and their efforts to monitor the health and safety of professional boxers in ways in which health and safety provisions for professional boxers can be enhanced. We have invited a number of distinguished witnesses who have a wealth of experience in the sport of boxing to join with us this morning and to share their views with the subcommittee.

Although techniques and styles of boxing have changed over the years, boxing today continues to be a major international attraction. Unquestionably one of the most popular sports, boxing is one of the marquee events at the summer Olympic games.

Boxing is also one of the premier sports in the United States. Statistics show that 65 percent of all professional boxing events in the world take place in the United States, and 85 percent of all boxing revenue is generated here. Live and telecast events have tens of millions of fans. ESPN and USA cable networks, the leading television outlets for professional fighting have combined subscriptions of 120 million. Many of our Nation's leading sports figures come from the sport of boxing, including such legends as Joe Lewis, Jack Dempsey, Rocky Marciano, Sugar Ray Robinson, Mohammed Ali, and more recently, Sugar Ray Leonard.

It is fitting that we hold this hearing here in Las Vegas, which is recognized internationally as one of the key sites for major boxing events. Since 1987, Las Vegas has been the host of 17 major title bouts. These events alone were attended by more than 187,000 fans, with an estimated impact of nearly \$89 million.

Questions about the physical nature of boxing have arisen. However, statistics show that boxing is actually ranked behind other sports with regards to injuries. Horse racing, skydiving, hang gliding, auto racing, and football all are ranked ahead of boxing. We all recognize, however, that no sport is without risk. That is certainly true with regard to boxing. And it is for this reason that efforts must be made to protect the health and safety of those who participate in the sport.

This responsibility currently is vested with the States. Approximately 43 States have established commissions to regulate boxing. These commissions are required to set appropriate health and safety standards for events held within their respective States. As a Nevadan, I am proud to note that the Nevada Athletic Commission has been recognized as a leader in the regulation of boxing.

Nevada is regarded as having very stringent regulations, including strict health and safety standards. Nevada was one of the first States to institute mandatory AIDS testing for boxers. Nevada regulations also include mandatory drug testing in all championship fights preflight examinations. Additionally, Nevada was one of the first States to reduce matches from 15 to 12 rounds, as well as to require weigh-ins 24 hours before the fight. A number of other States have also been recognized as having very tough regulatory standards.

Testifying on the first panel this morning will be Judge Mills Lane, who is certainly no stranger to those familiar with boxing. Judge Lane is a former professional fighter, a renowned referee who has refereed more than 70 world championship bouts, and on a personal note, Judge Lane has been my friend for more than 30 years.

Also joining us is Ms. Patricia Jarman, who is an international boxing judge who holds an A rating, the highest given to a professional boxing judge, and who is considered to be one of the top judges in the industry.

Mr. James Hall, who serves as chairman of the Missouri Athletic Commission, the home State of the ranking member of the Commerce Committee, Senator Danforth. Mr. Hall also served as president of the Association of Boxing Commissioners.

Mr. Don Hazelton also joins us. Mr. Hazelton is the executive director of the Florida Athletic Commission.

Mr. Al Bernstein joins us as well. He is known, I think, to everyone from his ESPN connections, and we are delighted to have him here, as well.

I want to thank each of the witnesses for attending. And we look forward to their testimony. I am particularly pleased this morning also to be joined by my friend and colleague from the neighboring State of Arizona who serves on our subcommittee. He has been a long-time fight fan. In an earlier life he was in a different arena with some notable success, as we talked about this morning, and he has long had an interest in the regulation of boxing and what needs to be done for the health and safety of those who participate in this.

It is now my pleasure to yield to Senator John McCain from Arizona for any comments that he would like to have before we get testimony from the witnesses.

OPENING STATEMENT OF SENATOR McCAIN

Senator MCCAIN. Thank you very much, Mr. Chairman, and I would like to thank you for holding this hearing here in the State and the area where boxing and many of you have experienced a great rebirth. I also want to express my appreciation for the warm and close working relationship you and I have had for many years now, certainly not just on this issue but many others, including your efforts to stop the terrible telemarketing fraud and other abuses that have existed that have taken advantage of some of our least able citizens to defend themselves. And I want to thank you for your distinguished chairmanship of the Consumer Subcommittee of the Commerce Committee.

I think that this issue we are talking about today is an important one. I will try to be brief, but I would also like to point out, Mr. Chairman, what I think we should be focusing on.

Many years ago, Damon Runyon—60 years ago—said that professional boxing is the red light district of sports. And although he made that trenchant statement well over 60 years ago, the professional boxing industry continues to be plagued by inadequate safety measures for boxers, improper financial arrangements, conflict of interest, and weak regulatory oversight, not necessarily in the State of Nevada, but throughout the country.

More recently, an advisor to one of the great champions of this era said the boxing industry represented the best and worst of capitalism and the free enterprise system. As both a lifelong boxing fan and elected official, I am deeply disturbed by the exploitation of boxers that occurs in big city arenas and small town auditoriums all across America.

As we all know, fighters are men who are often unsophisticated and from impoverished backgrounds, and they may have no other way of supporting themselves and their families. At the whim of a promoter or matchmaker, boxers are routinely matched against opponents with skills far greater than their own, and they must do so without the medical supervision that is so critical in a sport that is unavoidably violent. These men will return to the ring month after month for many years and endure a steady rain of punishment in order to earn a purse whose meager size would appall most Americans.

Indeed, when most Americans consider professional boxing, they probably only think of a thrilling, world renowned champion and the huge multimillion dollar purses that he can command. Such men of accomplishment and fortune are generally not in the need of any new governmental involvement in their lives, and they are not the men with whom I am concerned.

I would like to focus the attention of this hearing and the Congress largely on the thousands of club fighters who will never know the glory of a championship belt and the riches that will follow, but whose courage and determination sustain the sport. It is these men that I feel are being greatly disserved by the lack of responsible oversight in the professional boxing industry today.

The problems and abuses in the sport are myriad, but I feel the health and welfare of fighters themselves must be paramount in any congressional consideration of professional boxing. I would like to emphasize again, Mr. Chairman, protecting the health and wel-

fare of boxers is my primary motive in trying to address this issue. I think you and I know, Mr. Chairman, that there are other aspects of boxing that is neither appropriate nor possible for us to be involved in.

In many areas of the United States boxers can be repeatedly knocked out and battered and never receive a comprehensive medical examination. Let me just give you one example of the many practices in boxing that I find so troubling, even though I am devoted to the sport.

I have with me today the records of a 41-year-old welterweight who has lost well over 150 fights and has been knocked out an astounding 91 times. Perhaps this man is still capable of boxing at the professional level, perhaps not. The fact is that we realize that no one should be knocked out 91 times.

What I can say is that the current regulatory structure in boxing will enable him to box longer after he can safely do so, and I can also say it is unlikely that any industry source will care for him long after he hangs up his gloves, as the painful rigors of his profession take an increasing toll on his body and mind.

Regrettably, boxing stands alone among major sports in having scant medical coverage and physical examinations for its participants, and the industry has no pension benefits or financial assistance to help boxers cope with devastating injuries. While some States such as New York and Nevada have high medical standards, many more do not, and several States with large number of boxing shows have no boxing commissions whatsoever. This is both inexcusable and dangerous.

Unscrupulous promoters and managers can take advantage of the gaping holes in the State regulation of boxing by holding bootleg shows in unregulated States, or by pressuring commissioners to accept last minute replacements with dubious professional histories. Let us face it, any sport where the use of aliases by its participants is considered commonplace is one that warrants reform.

We absolutely must ensure that the medical standards that are necessary to prevent boxers from fighting until they are blind and debilitated are instituted nationwide. We also must act decisively to see that any individual who purports to be a legitimate promoter or manager is barred by all States if they exploit boxers and deceive the public.

The recent situation in Florida regarding a promoter named Rick Parker is a disturbing example of the unethical and often illegal practices that are rampant in the professional boxing industry today. I find it astounding that this individual is apparently being allowed by several other States to play an active role in professional boxing. Anyone who questions the rationale for possible Federal oversight of professional boxing's seamy side needs to look no further than the activities of Mr. Parker, and others who seek to make a living by exploiting boxers and defrauding the public.

It is somewhat troubling that this hearing, as informative and productive as I expect it to be, even needs to be held. In the last decade alone, the Congress has held eight series of hearings on various problems in the boxing industry. The reason is simply that unlike other major professional sports, the boxing industry has steadfastly refused to set up a responsible oversight body of its own.

While I have been deeply impressed with many of the boxing industry officials and personalities that I have met and learned from over the past years, it is clear that many of the egregious abuses that continue to undermine the sport are committed by individuals whose profit motives greatly outweigh their concern for the welfare of the boxers.

I have supported legislation that would create a nonprofit, federally chartered corporation to reform the boxing industry, but I do not believe that a legislation of that scope is possible at this time.

At the same time, I am open to alternative approaches to achieve the objectives of safety and integrity that are shared by virtually every industry participant I have heard from. I am not interested in abiding further timidity and delay in addressing vital health and safety concerns in professional boxing. I would like to say, Mr. Chairman, that I am hopeful that we can move forward on this important issue in a very narrow focus this year. I believe that it is vital that we do so, considering the fact that as we speak somewhere in America some fighter under an assumed name may be scheduled to be knocked out sometime this evening in order to pad the professional record of another boxer who is on his way up.

I am pleased that we have the kind of witnesses that we have before us today, who will provide us with the kind of information and knowledge which will help us to move forward in a timely and effective fashion. I want to thank all the witnesses for being here this morning, and again, I want to thank you, Mr. Chairman, for your interest, not only for the benefit of the State of Nevada, but for every boxer in America.

Thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

PREPARED STATEMENT OF SENATOR MCCAIN

Thank you, Mr. Chairman. I want to extend my sincere thanks to you for holding this hearing today. I know that issues affecting the professional boxing industry are of particular interest to you and the residents of your state. I greatly appreciate your willingness to examine the important health and safety concerns that exist in professional boxing today.

I have been an avid boxing fan since I was a boy, and my enthusiasm for the sport was surprisingly undiminished by a career of boxing at the United States Naval Academy that can best be described as painfully mediocre. I have always believed that at its best, professional boxing is a riveting and honorable contest of courageous and highly skilled athletes.

Unfortunately, a more accurate description of the industry today is found in the words of Damon Runyan, who called professional boxing the "red light district of sports." Though he made that trenchant statement well over sixty years ago, the professional boxing industry continues to be plagued by inadequate safety measures for boxers, improper financial arrangements, conflicts of interest, and weak regulatory oversight. More recently, an adviser to one of the great champions of this era said the boxing industry represented "the best and worst of capitalism and free enterprise."

As both a lifelong boxing fan and an elected official, I am deeply disturbed by the exploitation of boxers that occurs in big city arenas and small town auditoriums all across America. Boxers are men who are often unsophisticated and from impoverished backgrounds, and they may have no other way of supporting themselves and their families. At the whim of a promoter or matchmaker, boxers are routinely matched against opponents with skills far greater than their own, and they must do so without the medical supervision that is so critical in a sport that is unavoidably violent. These men will return to the ring month after month for many years and endure a steady rain of punishment in order to earn a purse whose meager size would appall most Americans.

Indeed, when most Americans consider professional boxing, they probably only think of a thrilling, world-reknowned champion and the huge, multi-million dollar purses he can command. Such men of accomplishment and fortune are generally not in need of any new governmental involvement in their lives, and they are not the men with whom I am concerned about.

I would like to focus the attention of this hearing and the Congress largely on the thousands of club fighters who will never know the glory of a championship belt and the riches that follow, but whose courage and determination sustain the sport. It is these men that I feel are being greatly dis-served by the lack of responsible oversight in the professional boxing industry today.

The problems and abuses in the sport are myriad, but I feel the health and welfare of fighters themselves must be paramount in any congressional consideration of professional boxing. Boxing can pose significant health risks to fighters, although symptoms of injuries they have suffered may not become noticeable until decades after a boxer's last bout. Yet in many areas of the U.S., boxers can be repeatedly knocked-out and battered and still never receive a comprehensive medical examination.

Let me give you just one example of the many practices in boxing that I find so troubling even though I am devoted to the sport. I have with me the records of a forty-one year old welterweight who has lost well over 100 fights—and has been knocked out an astounding ninety-one times. Perhaps this man is still capable of boxing at the professional level; perhaps not. I am not qualified to judge him.

What I can say is that the current regulatory structure in boxing will enable him to box long after he can safely do so. Sadly, I can also say that it is unlikely that any industry source will care for him long after he hangs up his gloves, as the painful rigors of his profession take an increasing toll on his body and mind.

Regrettably, boxing stands alone among major sports in having scant medical coverage and physical examinations for its participants, and the industry has no pension benefits or financial assistance to help boxers cope with devastating injuries. While some states such as New York and Nevada have high medical standards, many more do not, and several states with large number of boxing shows have no boxing commissions whatsoever. This is both inexcusable and dangerous.

Unscrupulous promoters and managers can take advantage of the gaping holes in the state regulation of boxing by holding "bootleg shows" in unregulated states, or by pressuring commissioners to accept last-minute replacements with dubious professional histories. Let's face it—any sport where the use of aliases by its participants is considered commonplace is one that warrants immediate reform.

We absolutely must ensure that the medical standards that are necessary to prevent boxers from fighting until they are blind and debilitated are instituted nationwide. We also must act decisively to see that any individual who purports to be a legitimate promoter or manager is barred by all states if they exploit boxers and deceive the public.

The recent situation in Florida regarding a promoter named Rick Parker is a disturbing example of the unethical and often illegal practices that are rampant in the professional boxing industry today. I find it astounding that this individual is apparently being allowed by several other states to play an active role in professional boxing. Anyone who questions the rationale for possible federal oversight of professional boxing's seamy side needs to look no further than the activities of Mr. Parker and others who seek to make a living by exploiting boxers and defrauding the public.

It is somewhat troubling that this hearing, as informative and productive as I expect it will be, even needs to be held. In the last decade alone, the Congress held eight series of hearings on various problems in the boxing industry. The reason is simply that unlike other major professional sports, the boxing industry has steadfastly refused to set up a responsible oversight body of its own.

While I have been deeply impressed by many of the boxing industry officials and personalities that I have met and learned from over the past year, it is clear that many of the egregious abuses that continue to undermine the sport are committed by individuals whose profit motives greatly outweigh their concern for the welfare of boxers.

I have supported legislation that would create a non-profit, federally-chartered corporation to reform the professional boxing industry. I supported this concept because I believed it would facilitate the adoption of the reforms that are urgently needed to reform the sport for its participants and fans.

At the same time, I am open to alternative approaches to achieve the objectives of safety and integrity that are shared by virtually every industry participant I have heard from. Therefore, I look forward to the recommendations of today's witnesses, and I will seek the counsel and assistance of Senator Bryan as I proceed on this issue.

What I am not interested in, however, is abiding by further timidity and years of delay in addressing vital health and safety concerns in professional boxing. I am not prepared to accept the "hit-and-miss" nature of measures to protect boxers in America any longer. It is unrealistic to believe that the interests that control boxing at the championship and club level will institute the necessary reforms on their own, or that dedicated but already overburdened state commissioners can enforce them in a cohesive and effective manner.

I am hopeful that we can move forward on this important issue this year, and I welcome the input and support of all boxing's participants and fans who agree that the time has finally arrived for meaningful reform in the sport.

Senator BRYAN. Senator McCain, thank you very much for that statement. Let me just say it has been my pleasure to work with you, as well, on this issue as well as a number of issues since I have come to the Senate, particularly as we work together on the Commerce Committee and more recently since I have been appointed to the Armed Services Committee.

Mr. Bernstein, I know that you have some time constraints, as does Judge Lane. Can you tell us when you need to leave?

Mr. BERNSTEIN. By 11:30, if that is possible.

Senator BRYAN. We will be able to do that, and we are happy to include you in the first panel.

Let us begin by hearing from Ring magazine's referee of the year in 1993, Judge Lane. Mills, nice to have you with us this morning.

STATEMENT OF HON. MILLS LANE, JUDGE, SECOND JUDICIAL DISTRICT COURT, RENO, NV

Judge LANE. Thank you, Senator Bryan. Senator McCain, nice to make your acquaintance.

I think it is appropriate that the Senate looks at the matter that it is looking at. Certainly, the implication of the interstate commerce clause gives it authority. There is no question about that.

I would like to start by saying that in my view amateur boxing is a sport. Professional prizefighting is a business that has athletic implications. And as a result of it being a business, there has to be—obviously, there must be and there is—some regulation. I want to start where I am going to end by saying that if all States had commissions like we have in this State and had an executive director as we have in this State, Marc Ratner, this investigation would not be necessary. But all States do not have that.

Now, what I am going to do is suggest a couple of things that I think could be done and could be looked at and maybe regulated, or have forced regulation if you will, by the Fed. In the first place, I think, and this is a medical matter, but all fighters should be required to undergo legitimate medical examinations. That, to me, is a given. There is no question about it.

Officials, and I speak from the referee's point of view, must be required to be in physical and mental condition. I think it is astounding that some officials, not only in professional prizefighting but in football and basketball and baseball, allow themselves to become physically unfit. In my view, they should either get themselves together or be told to get out.

No State should be allowed to supervise a professional prizefight that does not have a commission and director that I have already talked about. A thing that I think is important, you do not hear much talk about it but I know the people that know boxing, people like Eddy Futch and Jerome Coffee here and Marc Ratner and Jim

Nave and our officials, recognize, I think, inspectors which every commission should have, should be directed to make unannounced gym visits.

A lot of real head knocking goes on in the gyms, and a lot of people do not see that. They see the fight after the fact. But in the gyms where professional fighters train, in my view, it is inappropriate to have an unskilled amateur or person that has just turned pro that has really no future "in the abstract," and yet spars daily, day in and day out, with seasoned professionals. And those professionals use their abilities and sharpen their abilities on those particular people. I think that is unfortunate.

Another thing that I think is important, and I think the medical folks will talk to this more, but it has always amazed me that most head injuries seem to occur in the lighter weights. I believe that has some direct relation to what I call making weight. If a person is a true professional, that person should be within 5 pounds of his best weight at all times. But most fighters do not do that. I know some fighters—Roberto Duran, a good example, would go from 135 to 190 between fights. When he was younger, he could get away with it. I know of a fight where he signed to fight at 168. The fighter began training at over 200 pounds. In my view, that is not professional.

But what happens is making weight has some physical and physiological implications. I would suggest, for example, that a requirement might be that if a fighter, say, had to make 122, when you sign the contract 90 days before the fight the fighter would have to weigh no more than 130. Or if a fighter was going to, say, make 165, the fighter might be allowed to weigh as much as 176 or 177. In my view, that is too high. The fighter making 165 should always be at about 168, 169, or 170. But most fighters do not. But in my view, this making weight and this tremendous loss of weight is not only detrimental to the fighter, it is not healthy for the industry or the individual involved.

I also feel that if a fighter is knocked out or suffers severe physical damage in a fight, even if that fighter wins, then the medical people the commission employs or works through should be allowed to sit that fighter down for a period of time.

Senator BRYAN. Do they do that in Nevada now?

Judge LANE. Yes. In Nevada, if you are stopped, your mandatory time when you cannot participate. And of course, there has to be some way to make sure that is recognized across State lines.

Even a fighter who wins the fight, and I have seen some fights where you look at the winner and you thought he might have been the loser, but if you have physical trauma, the medical person with medical expertise might ought to be able to say that fighter should sit down for a bit.

Senator BRYAN. Do they do that in Nevada now?

Judge LANE. My understanding is that they do. And certainly, the commission clearly has the authority to do that. I think that is important.

I also believe that it is important for people to recognize that boxing, professional prizefighting, cannot be made safe. It can be made safer, but it is a discipline that has tremendous risk. People have asked me why I think professional boxing serves a social pur-

pose. And my response is you accept the risk. In a free country, you are free to make that choice. That is a price we make to be free to decide.

I think it does have social implications where, with people like Sugar Ray Leonard, Alexis Arguello, Danny "Little Red" Lopez, you can name them off the top of your head, would be without a chance to compete in a tremendously rewarding financial discipline without being able to compete. I do know, as Senator McCain said, there are many, many, many fighters that will never make money at all. I was lucky. I got through college with it, and then I got out. I knew I was not good enough to be the world's champion, so I got my degree and got out. But it was good to me, and I think I ought to be good back to it. I do believe in it.

I also believe that, as I said, I want to end where I began, you cannot regulate the discipline of professional prizefighting, which is a business, without a strong, honest, dedicated commission with a tough, hardnosed, good, honest director. We have those things here.

The story of Tommy Morrison defending his "championship," I believe, the State of Kansas from somebody who literally came out of the audience would never be permitted here. As a matter of fact, our executive director, Marc Ratner, has turned down fights and said "Sorry, that fight is not competitive." As a matter of fact, a while back I was told a story where the promoter said "Well, he is 0 and 12, but he is a tough 0 and 12." There is no such thing as a tough 0 and 12. If you are 0 and 12, you are 0 and 12.

I think our commission does a great job, and I stand by what they do.

Thank you, very much.

[The prepared statement of Judge Lane follows:]

PREPARED STATEMENT OF JUDGE MILLS LANE

As indicated in my letter of late to Senator Richard Bryan, this typed copy of my proposed testimony might not "cover all the bases" as it is being prepared just subsequent to having received a fax from the Washington D.C. relative to the "rules of procedure for witnesses" which, in my view, was received entirely too late, to-wit, January 14th (six days before the hearing) for such testimony to be fully exhaustive.

As I understand it, the hearing will involve an examination into the role of State governments in supervising the health and safety of professional boxers as well as current health and safety regulations and ways in which such regulations can be enhanced. I infer that any collateral and directly related issues may be examined also.

It is clear that any State in which a professional prize-fight is held has a direct responsibility to not only the management of the fight itself but also to the regulation of the event pursuant to rules and protocol and the safety of the participants.

In my opinion, no State should be permitted to oversee or regulate professional prizefights unless that State has a sound Athletic Commission. Whether the regulating body is called an "Athletic Control Board", "State Athletic Commission", or any other variation thereof, is not material. The fact remains, however, that the commission which regulates such events must be made up of honest, dedicated individuals. The more practical information and/or experience the members have regarding the discipline of professional prizefighting the better.¹ Also, each commission must have a honest and dedicated executive director to handle and manage the daily requirements of the commission. I am proud to say that in the State of Nevada we have such a Commission and Director.

As a practical matter, most professional prizefights are held in States where boxing commissions or control boards now exist. However, there are a few States where there are no commissions or States in which a "commission" exists, but, as a practical matter, is woefully inept. Furthermore, in such instances, fights are allowed

¹ While "experience" would be helpful, honesty and dedication are paramount.

to occur which should not be sanctioned. Of late, Tommy Morrison defended his World Boxing Organization championship and when his listed opponent refused to fight, another "contestant" with little or no training at all was allowed to "fight for the title". Such action is a farce and would never be permitted in Nevada. As a matter of fact, our Executive Director, to-wit, Mr. Marc Ratner, has, on numerous occasions, refused to approve a fight that had been "signed" by the promoter of a fight card because the fight was not, in any way, reasonably competitive. Such actions are not only exemplary, they are an absolute necessity.

It goes without saying that there is no way to make professional prizefighting completely safe. Inherent in the discipline, as well as in other contact sports, are certain risks. Those have to be accepted. I do believe, however, that if States are going to regulate and oversee professional prizefighting, then there must be some basic standards. Following are some suggestions that I have. These suggestions are not meant to be all inclusive and I am satisfied that many knowledgeable people can suggest many more, but here are a few.

1. A legitimate and well regulated medical exam should be given to all fighters.
2. Officials, especially referees, should be skilled in the discipline. They should be in shape, both mentally and physically, and be ready, willing and able to protect the welfare of the contestants.

3. No State should be allowed to supervise a professional boxing event that does not have a commission such as the one discussed above.

4. States should have inspectors authorized and directed to make appearances at various times in gyms where professional prizefighters train. The fact is, a lot of real "head knocking" goes on in the gym. Sparring, which is in no way competitive, and is simply being used for a seasoned pro to sharpen his skills on ineffectual and untrained opponents, should be disallowed.

5. Although I have seen no medical studies on this particular question, it has occurred to me that most brain injuries occur in fighters of the lower weights. It occurs to me that a loss of a great deal of weight over a short period of time is not only unhealthy but may contribute to future injury to a fighter. I suggest that when a fighter signs a contract to participate in a prizefight, that that contestant not be permitted to weigh more than 10-12 pounds over the contract weight. (The poundage just mentioned could, and should, be proportionate to the particular weight involved. For example, if a fighter is required to make 122 lbs. at fight time, then that fighter should weigh no more than 129-130 lbs. at the time the contract is signed, but in a situation where a fighter has to make 160 lbs., it might be appropriate for the fighter to weigh no more than 172-173 lbs. at the signing of the contract.) I suggest the aforementioned because I am aware of cases where a fighter would sign to make weight at 168 lbs. and yet weighed in excess of 200 lbs. when the contract was signed. For what it's worth in my view, a true professional should be within 5-6 lbs. of his best weight at all times, but unfortunately only a few professional prizefighters adhere to this dictate.

6. If a fighter has sustained a knock out or, even if a fighter has won a fight, and has suffered substantial physical damage, then there should be a mandatory period wherein that fighter could not participate in a prizefight and/or spar.

I suggest the above is in no way meant to be dispositive or exhaustive relative to what can or should be done to assure the safety of professional prizefighters, but are a few suggestions.

I applaud the work which has and is being done by the Nevada Athletic Commission in its supervision and regulation of professional prizefights. If all States acted as does Nevada, there would be virtually no need for any Senate investigation.

Senator BRYAN. Thank you very much, Judge Lane. Your performance looked up to its expectation. Let me say you tell it like it is and we appreciate it. That is why Senator McCain and I are having this hearing. We are delighted.

You mentioned Nevada's Athletic Commission. I note in the audience one of the individuals who for nearly a decade has played a major role in shaping that commission. Dr. Jim Nave joins us in the audience this morning. Dr. Nave, it is a pleasure to have you here with us.

We need to now, I think, hear from another official who has played a prominent role in boxing, not only in our State but internationally, and I am pleased to have her here and invite her to testify. We turn now to Ms. Patricia Jarman. Nice to have you with us.

STATEMENT OF MS. PATRICIA JARMAN, INTERNATIONAL PROFESSIONAL BOXING JUDGE, LAS VEGAS, NEVADA

Ms. JARMAN. Thank you very much, Senator, and welcome Senator McCain, distinguished guests.

My name is Patricia Morse Jarman. I have been a resident of the State of Nevada for 20 years. I have been a member of the Nevada State Athletic Commission going on 10 years. This is my 10th year.

During my past 9 years as an international professional boxing judge, I have judged over 53 world title fights in 25 countries on 5 continents. I have been licensed in and judged world title fights in the States of California, Texas, Philadelphia, Arizona, Washington, DC, North Dakota, and here in my home State of Nevada.

I feel very fortunate to have been licensed as a professional boxing judge here in Nevada from the era of change that was taking place in the country and the sport, and especially here. And because Senator Roth initiated his bill for the Federal legislation of boxing because of officiating, that is what I want to address.

I think that here in Nevada, we have been the yardstick by which most of the world, definitely not the country, in terms of officials has been judged.

Senator BRYAN. Ms. Jarman, could I interrupt for just a minute?

Ms. JARMAN. Please.

Senator BRYAN. Mills, we are not through with you.

Judge LANE. Oh, no? All right.

Senator BRYAN. Do not try to escape. [Laughter.]

Excuse me, Ms. Jarman.

Ms. JARMAN. That is OK.

Under the guidance of the late Chuck Minker, the former executive director of the Nevada State Athletic Commission, and Dr. James Nave, the commissioner of the athletic commission, and our new executive director, Mr. Marc Ratner, a concentrated effort has been set forth to improve the quality of officiating in the State of Nevada. Regularly scheduled seminars to discuss boxing and what has occurred that affects all officials was the norm. Nevada became the first State in the Nation to do postfight conferences, something that we all dreaded in the beginning, but something that we really look forward to now because the merit of them cannot go unnoticed.

The merit of the postfight conferences served many purposes. One is that when an official has finished a fight at the end of a bout, it is really important that you know that, no matter what goes on during that fight how you judge a fight, you were immediately held responsible and accountable for all actions that you make. That means that even though you may have a card with nine bouts on it, someone may ask you during the course of it, the executive director, one of the commissioners, even the doctor sometimes will say to you "Well, why did you do what you did in round 3, bout 2?" And if you full plate of seven or eight fights, sometimes nine, you have to remember exactly what you did and why you did it.

After the conferences, it is also afforded us the ability and the benefit of discussing a particular round, and anyone asking a question as to why the judge or referee judged or refereed the way that they did.

I have found that this method of interacting and sharing philosophies from our top officials has encouraged and enhanced my ability to do the best that I can, not only in Las Vegas in the State of Nevada, but around the world. When I go into another country to judge a fight I am not only representing Las Vegas and Nevada, but I also represent the United States of America. And I carry that with great pride, and I also always try to make sure that I do the best that I can, because it does not matter that I am from the United States of America, I am always identified as a Nevada judge, good or bad.

Nevada has become the yardstick by which all officials throughout the world have been measured. This has happened because Nevada has taken an aggressive role to make everyone involved in the sport the best that they can be. Nevada took the initiative on their own without any Federal intervention, without being told by anyone, and I believe that if other States did the same, by either asking, as many of them have done, for help from our commission, from our executive directors, many times when there is a fight being held someplace else other than Nevada, they will call our executive director and our commissioners to ask how it is done.

Many times, when officials are mentioned, a Nevada official is always mentioned, either Jerry Roth, Chuck Joppa, Dorothy Shirley, our names are always mentioned because we are considered the best in the world, and we did not get that way by chance. We got that way because of constant seminars, because of being graded, and let me tell you, as an official, if you know that you may wind up with a C rather than a B or an A, there is always a built-in motive to do the best that you can because you are held accountable, and the rating system does work. Everybody cannot be an A judge, everybody cannot be a B judge. But you always strive to be the best that you can because you are representing Nevada.

I am proud to be an official from the State of Nevada. I am proud to have represented the United States and Nevada around the world. And I look upon that as a great honor. It is something that everyone thinks that they can do, but everyone cannot do well.

Any questions?

Senator BRYAN. Thank you very much, Ms. Jarman. We appreciate it. We are going to hear from the entire panel and then we are going to have an opportunity for Senator McCain and I to ask questions of each of the panelists.

Let me now turn to Mr. Jim Hall, who joins us from the State of Missouri and who is president of the Association of Boxing Commissioners. It is a pleasure to have you with us this morning, Mr. Hall, and we would appreciate your testimony and your view of the health and safety and what is being done at the State level from a national perspective.

**STATEMENT OF JIMMY HALL, ADMINISTRATIVE INSPECTOR
FOR THE OFFICE OF ATHLETICS, MISSOURI DEPARTMENT
OF ATHLETICS, JEFFERSON CITY, MO**

Mr. HALL. Thank you. In rebuttal to Mr. Lane's comment about Tommy Morrison in Kansas, he was in Missouri, and I was sitting there.

Actually, what happens a lot of times—I am glad Mr. Bernstein is sitting beside me because he can attest to what happened that night—2 days prior to that fight they brought Tomasiak in as an opponent for Tommy Morrison because at that time we knew we had a problem with Michael Williams, the fighter that was supposed to be on the card. He had started complaining of back spasms, and knowing that it was a WBO world title that he would have to take a drug test, I think he got antsy 2 days prior to the test.

At the time of the fight we went back to do the prefight drug test and he skied out the back door. Luckily, we had weighed in the night before, and Tomasiak had had a physical and was setting in the dressing room at 7 o'clock that night knowing that he was going to have to fight. So, TV perceived it as a little bit different than it really happened, and I will admit that, hindsight, I would have stopped it if I had it to do over again today.

Up until the announcement was made at ringside, everybody involved thought that it was going to be a 10-round nontitle fight, and so the announcer got in the ring and announced it as a title fight. Nobody sitting around knew that that was going to happen.

Senator BRYAN. Mr. Hall, we appreciate your concern about that issue, and we want to obviously get into that, but if we could get just a little bit of an overview on the regulatory system and current health and safety standards would be sufficient for the moment.

Mr. HALL. That is a touchy subject with us. I am sorry.

Senator BRYAN. Well, there is nothing that is too touchy for us to talk about here, but I think we want to get the benefit of your testimony in terms of what is happening in regulation, and what you as the president are doing.

Mr. HALL. The Association of Boxing Commissioners was formed by New York, Nevada, California, and Texas. Mainly, they had three goals in mind. That was to standardize the rules in boxing, standardize medical safety, and create a nationwide data bank service that we could all be using and responsible for. Since that time, we grew to 37 States. Twenty-three of those are paid as of today. Others do attend, not being able to afford and pay the dues. And so we have waived those dues because of it.

Over the last couple of years, we have passed some mandatory minimum standard and rules. We are all governed by legislative bodies throughout our own States, and we have to go back and try to get those rules changed that have been on our laws, some of us, for 20, 30 years without being changed. Most of us have rulechanging ability, but a lot of us have to open the statute and change the rules by statute.

We have also recognized Phil Marter Fight Facts, which used to be Ralph Sitro. We use him as a central data bank for all record-keeping that happens within the commission States. Two meetings ago in New Orleans we made a decision to look at the noncommission States, North Carolina and Oklahoma, specifically those two States, for the fact that they were creating most of the fights in noncommission States. We took a vote at that time. As of May 1994, those fights in those States will be nondecision fights. So, if they are turned in there will not be any decision on them.

So, that will eliminate any credible promoter going in and trying to create a fight in those States.

We also voted at our last meeting to not accept the present Roth bill in its present form. Mainly, we had some questions about the creation of a boxing czar and his committee, and we still feel that way today.

Senator BRYAN. Thank you very much. We will have some questions of you.

Mr. Hazelton, it is nice to have you here, from one warm weather State to another.

STATEMENT OF DONALD HAZELTON, STATE OF FLORIDA ATHLETIC COMMISSION, TALLAHASSEE, FL

Mr. HAZELTON. It was not too warm when I left, Senator.

Thank you for inviting me. It is a pleasure to be here. Also, I really enjoy the fact that you allow me to come into your State and help support the education system, inasmuch as I get in a day early.

Senator BRYAN. You know that indoor recreational activity is responsible for the impressive educational system we have, and as a good citizen, you certainly would not want to deprive Nevadans of an educational opportunity, I am sure you can appreciate.

Mr. HAZELTON. Senator, I would no more want to do that than I would want to hurt the poor children in Florida.

It is a delight to be here.

Senator BRYAN. Good to have you.

Mr. HAZELTON. I would like to draw your attention to the written statement that I have already distributed.

Senator BRYAN. We will make that a part of the record, if you want to refer to that or go with some additional references, please feel free to be as informal as you want.

Mr. HAZELTON. Well, I would just as soon not be redundant with the written word, and it is available for anybody else who wants it. Also, the attachments that go with these envelopes, I think, are kind of vital, and they need to be looked at in the context that Senator McCain has previously alluded to as far as health and welfare of boxers.

You know, it is sometimes almost embarrassing to listen to the boobahs tell us about the barbaric sport of boxing and how disgusting it is to let two people go and strike one another. You know, in boxing, as all of us here know, the rules are rather simple. You defend yourself and strike the other person. That is it. Real simple.

If you strike the other fellow more than he hits you, you are going to win the fight. And those are the rules. And you also cannot weigh more than the other fellow by a certain amount. And there is also someone standing by with the caliber of my colleague over here that is going to make certain if he is absorbing too much punishment, he is going to stop this fray. You have some people like Patricia who decide if this person has struck the other person enough to win the fight.

This person gets a physical every single day prior to the fight or 24 hours before the fight. You do not find that in another sport.

You also find that the classification of experience generally, when it is handled well, that is the way you go ahead and make your fights.

In football, those rules are also rather evident. The idea is to take a bloated piece of leather and extend it over a person's goal line. It does not say anything about a 300-pound lineman hitting a 185-pound wide receiver. It does not say anything about the crowd being very enthusiastic about taking the quarterback's head off. And people standing and cheering when you go ahead and render someone unconscious and get them out of the game.

Basketball, some of the good parts of basketball, you see a real good defensive player block out on a rebound. It does not say anything in the rules about getting hit in the mouth with an elbow. But it happens.

And we will not even talk about hockey. I mean, I went to a fight and a hockey game broke out. I mean, let us not even talk about that.

So, boxing, in itself, the rules are rather simplistic. Do we have the educational background to send these people on to these wonderful multimillion dollar fights or the \$50-a-round fight? No. Our people do not come from colleges. Basically, they are not pampered through junior high school and high school because they happen to be 6 foot 7 or 6 foot 8 inches.

The people we do business with, our constituency, which, because of our constituency, are from the mean streets, mostly. And these people have to go ahead and make their own way. And they are subjected to unscrupulous people along the way, people who are better educated, or better educated in the streets. And as a result of it they are taken advantage of.

Now, is boxing necessary? *Mano v. mano*, the last thing. Nobody to blame when you are in there. When you have a bad night you cannot say well, the strong side tackle did not block, or the fullback did not pick up the blitz, or I was open under the basket and no one threw the ball. It is you got knocked on your butt in front of a whole bunch of people. And that embarrassment that goes along with it is all yours. It is the only place a man can stand since the days of being a gladiator and say this is mine. This is my sport. And yes, the people like Eddy Futch trained me. And yes, I have people behind me that disciplined and maybe paid me along the way. But now it is my night. Now, the gym is over with and the smelliness of the gymnasium is finished. Now, the lights are up and there you are all by yourself out there.

Is there a social redeeming factor to boxing? I think so, for the constituency we serve. And it is our job as elected and appointed officials to make certain that these people are protected in their weakest points. And those weakest points are along the way—their health and their welfare.

Florida turns out—and Florida sometimes I believe lives in a vacuum. We are just a bunch of little old southern folk down there who do not do much, but despite what we hear about who puts on number of fights, Florida, until this year, was No. 2 in the United States in professional boxing.

Florida has a suspension list that is sent out on a regular basis that has the suspensions of every single entity that forwards the

information to us. What we do not get, we cannot send out. But we send it out along with a knockout—just let me go back to this just for a second, the written thing. We put out a suspension list, and everyone is entitled to it. We send it to all the boxing commissions throughout the country, and Mexico and Canada. We receive information from the different States, and we go ahead and put down what their suspensions are, including the Florida suspensions. We have been doing it for going on 4 years.

Now, is it taken advantage of? Not really. Not in total. Now, the Nevada commission, Marc Ratner and I talk all the time on suspensions. He will call. In fact, it is not our job to keep some poor kid from making a living. There was a decent money fight. Now, folks, a money fight, we are not talking about the millions that we read about in the paper. A money fight, you know, \$1,500, \$1,800, that is a money fight to our constituency.

Marc Ratner called me just the other day and said I have got a suspension here in Nevada. He is on the list, the list being the reported list which is everyone's list, and that suspension is going to last 4 days after he is scheduled to fight in Florida. And Dr. Nave and I talked about it, and we would just as soon waive that 4 days. It is not a health problem. This kid is not going to be damaged as a result of it. Let him earn a payday. That is called communication. And we talk with Nevada on a regular basis.

I talk with Missouri on a regular basis. We talk to the people that want to talk to us to work out these suspensions and make certain everybody else is knowing what they are doing.

We have a knockout card which is delivered to each fighter, whether he wins or loses after a fight. It is in your packet. And what this does is tell you if you are nauseous, if you are starting to see lights or things are going wrong, these are the things you are supposed to do.

We believe that people who are unscrupulous, people that help rig fights, people who are guilty of continually putting fighters in with those of lesser ability with obvious results, when they step across the final line I think that they should be outlawed from doing business in every State. I do not think a guy should be able to do business in Georgia and not do business in Missouri, Florida, and Nevada. I think that is wrong.

And what my colleague, Jim Hall, alluded to before is something that we are very much interested in. Those States that do not have a commission, either borrow one from a State or do not do business in this particular sport. It is not fair to anyone. It is not fair to the public, and it is certainly not fair to the fighters.

We think people that fix fights should be prosecuted. If you have someone that is sticking up a 7-Eleven or pilfering something from someone's apartment, we certainly want to do something. Well, what is the difference with that and doing something that could be really painful, really dangerous to boxers, and certainly very detrimental to the State?

There are a number of things that we like to look at as far as trying to better the sport. One is the fact that, as Mr. Lane spoke about, the inspectors. The inspectors are the backbone of any commission. We in Florida hook up all of our inspectors with walkie-talkies. We would like to see more States do the same thing, be-

cause when you have an emergency that takes place in the dressing room and something needs to be dealt with immediately, you need instant communication with the commission.

In Florida, we do not allow—we try not to allow—coaching from the corner during the fight. First of all, I think that is kind of funny. I know all of us have seen old World War II movies where our hero sneaks up on the sentry and puts his hand around his mouth and stabs him to go on and do good things. And of course, the sentry has got to be a deaf and dumb mute, because you never hear a sound from him. Well, if you have someone in the corner screaming at his fighter to lead with the left, cross the right and step to the left, is the opponent deaf and dumb, he cannot hear this. I mean, it is kind of silly.

I think all that hollering for the corner, I think it is very good for the guy in the corner. Makes him feel good. I do not think that sort of thing does much for the fighter. But we do not allow that to take place, and as a result of it, when our inspectors are hooked up with radio contact you do not have to stand up and wave. You do not have to get up and tell blue corner, it is getting a little out of hand. How about reminding him what our rule is? We find that that works very well.

We think that the inspectors do an excellent job supervising the taping and the gloving. We think they do an excellent job of keeping control of the corner. Many of our corner people throw too much water, and it is a health hazard. It is an accident hazard. I think that they keep an eye on certain corner people who do not use 1/1000 adrenalin for cuts, do not use Abatine, that have their own special little voodoo box that cuts down on bleeding and whatever.

I think that the inspector is the backbone of any commission, and I think that they should be trained. I think that these people are the ones that really make a fight go. I believe that Patricia is correct. In fact, during a couple of fights in Nevada I was out here and worked with Chuck Minker. I was very impressed with the afterfight critiques and the prefight meetings. We hold them all the time in Florida. I recommend every commission does it. I think that there is nothing more efficient to a judge or to a referee or to anyone involved to remind him of their transgressions immediately following, if indeed they do exist.

In Florida, we like to think that we are trying to do something to help the overall sport, and we work with as many of the commissions as we possibly can. Again, when we put out the suspension list, it only is as good as the old garbage-in, garbage-out. And when you do not receive any information you cannot put it into the computer because it does not work.

Now, some of the excuses we receive from some very prominent commissions, and that is well, we are under budget constraints. Twenty-nine cents is a budget constraint? You send it to Florida and we put it on a suspension list. You only have to send one. In the old days, you used to send one to every single commission. Now, you send 29 cents, we put it on, and then you go ahead and send it or fax it to Phil Marter of Fight Facts, and now the record is up to date, the suspension list is up to date.

Now, Jose Sulayman from the WBC, in a conversation that I have had with him going on months and with the North American

Boxing Federation, and that is that they are interested in a nation-wide, worldwide passport system to be able to track fighters. Well, we use the passport system in Florida, and I am here to tell you that it does not work. And I have used it diligently. But you are talking about a kid, when he shows up at the fight, you brought him in from—you know, Florida is a big State. You bring in a Jacksonville fighter down to Miami, he says, "I don't have my passport."

Now, you can do one of two things. Now, \$25, \$50 a round, that is a lot of money for these kids.

Senator MCCAIN. Mr. Hazelton, if someone shows up in the United States without a passport, they do not let them in the country.

Mr. HAZELTON. True.

Senator MCCAIN. If it is not going to work, it is not going to work because it is not enforced, in my view.

Mr. HAZELTON. Senator, I think that—and please accept this in the manner with which I prefer it—

Senator MCCAIN. Sure.

Mr. HAZELTON. I think that when you deal with hard and fast facts in boxing, and then compare it to reality of the people you are dealing with, this is an imperfect sport run by imperfect people. If ever there was a shade of gray, this sport is. We have what we think is a proper substitute for that, and that is that everyone needs to participate in the suspension list, certainly not through any pride of authorship as far as Florida is concerned. Call it what you will. An ID card, a picture ID card with an identification number that is cross referenced with Fight Facts and on that card. Without the ID card he does not fight.

Senator BRYAN. Mr. Hazelton, I do not want to run you short, but we do want to have a chance to get to Mr. Bernstein, and I know we have got some questions. If there are a couple of points that you need to make that you did not, your prepared testimony is a part of the record. Let me give you a chance to kind of wind it up.

Mr. HAZELTON. I have already wound it up. Thanks, Senator.

[The prepared statement of Mr. Hazelton follows:]

PREPARED STATEMENT OF DONALD F. HAZELTON

It is obvious that some of the issues that will be addressed also effect the general public who pays to see professional boxing. However, by request, the following remarks are limited to the specific area of boxer health and safety.

Generally, commissions have been established to oversee various activities relating to boxing, and in some cases kickboxing and wrestling, in their respective states. They are generally empowered to approve or disapprove matches, ensure that certain safety measures are enforced, determine the scoring system, appoint officials and intervene or control some contractual issues. As you know, not all states have commissions. And unfortunately, some states that have commissions, may as well not.

While we all know there is no fool proof way to ensure the safety of each boxer who steps into the ring, there are some fundamental steps that can be taken to increase dramatically the effectiveness of commissions as a whole. My observations regarding the health and safety of boxers follow.

1. There must be a nation-wide listing of medical suspensions and revocations. Each commission must be required to participate actively by immediately forwarding results from each boxing match to the central repository. This information would then be made available to all commissions via a paper listing or through an on-line computerized interface. Florida currently produces a suspension list that contains suspensions from all government authorities world-wide who submit their results to us. We, in turn, send this list to everyone on our mailing list and to anyone who

requests it. Unfortunately, we can't even get all the states to send us their results or, by the time the results are received the suspension periods are over. When asked why we aren't receiving results from boxing matches in certain states, we are told that it is cost prohibitive. This confounds the mind since for the price of two \$.29 stamps the results could be made available to virtually everyone. A copy of the results of a boxing match to Fight Fax, Inc. would ensure that the permanent records of the boxers are updated to reflect the result and another copy to us would ensure that the suspension is distributed to all the state commissions and international bodies that receive our mailing list.

Additionally, state commissions must be made to consult the list before approving matches. In several instances, we have received a notice from a state commission suspending a boxer for being knocked out when that boxer was already on the suspension list from another state for being knocked out.

2. State commissions must ensure that promoters provide medical insurance for injuries sustained by boxers during a match without deduction to the boxer.

3. In order to positively identify and maintain an accurate registry of information, an identification card must be developed and issued to each boxer. This must be a picture ID issued only with positive proof of identity and containing a unique numbering system so that each boxer can be accurately tracked through the system. As well as other information, this number would be entered onto the result of each match so that the correct boxer is attributed with the correct result.

This is far preferable to the passport/passbook system that is currently utilized in a few states including Florida. The failing of the passport/passbook is that if a boxer doesn't bring the book to each event, the result is not entered and therefore the book is useless.

4. After each boxing match, a card designed to alert the boxer and his handlers to potentially serious problems should be given to each boxer. If at all possible, this information should be in the boxer's native language and reviewed with him and his handlers.

5. Every single commission and governing body must judiciously identify and weed out those individuals that participate in fight fixing. This is a very dangerous activity because it gives a false impression of the true abilities of both boxers. This can lead to approval of matches between boxers who are in no way, shape or form similar in abilities and skills. It is probably one of the most dangerous activities when discussing the health and safety of boxers. This practice is used to create the illusion that a particular boxer is actually a contender for a world championship, when in fact, he has nothing more than a bought record of boxing matches. When he is then matched against a legitimate contender, he can be seriously injured. All this for his "manager's or promoter's" one big pay day. From our perspective, these fight fixing activities seem to be the result of small time hoods or criminals wanting one big pay day with no regard for what may ultimately happen when his over-rated boxer steps into the ring with the legitimate contender. There are several of these managers/promoters. They will typically operate in one state until they are forced out then they will surface in another state. Again, a nation-wide enforced suspension list would go a long way in curbing this type of activity.

6. Of course, central to all of these elements is the need for reciprocity among states. We must develop some form of regulation that sets guidelines for all states to enforce consistently the rules and standards that have been established as being in the best interest of the boxers. Enforced reciprocity will not only assure each state that their suspensions will be upheld in another state, but it will put the boxing world on notice that engaging in inappropriate activities in one state will follow you to the next state. Most importantly, it would ensure that a boxer is not permitted to engage in another match until the minimum period of medical suspension has elapsed.

As you can see, there are positive processes and methods that can be utilized to promote boxer health and safety. Many of these elements are within the reach of every commission today.

- A nation-wide suspension list is available by simply sending us results with suspensions for each boxing match held in each state. But it doesn't happen.

- Consulting the suspension list before a match is approved to determine if the boxer is already on suspension. But it doesn't happen.

- Designing and distributing a danger signals card after each match. But it doesn't happen.

- Identifying and prosecuting those individuals involved in fight fixing. But it doesn't happen.

From my view, it is very evident that many state commissions will not use the information and resources currently available to them and will not participate by providing their information to others.

While I listen to many of my honorable peers say that we can do it without federal intervention, reality is quite another view. There are simply too many of us, with a myriad of laws, overseen by too many variously constituted bodies. The issues that must be addressed and resolved cannot possibly be accomplished by such a large, diversified group. Besides, what body would discipline a state commission that decided not to participate?

There remains no choice but for Congress to adopt a federal program to mandate consistent and appropriate regulation and control. Therein lies the most fundamental beginning for ensuring the health and safety of boxers.

Senator BRYAN. Thank you very much for being here. We appreciate that and we are going to have more questions about, I am sure, about the passport system.

Mr. Bernstein, we are delighted to have you with us today, and appreciate your sharing with us your own perception as it relates to health and safety regulations for boxers.

STATEMENT OF AL BERNSTEIN, BROADCASTER, PROFESSIONAL SPORT, HENDERSON, NV

Mr. BERNSTEIN. Thank you. I am happy to be here. And one difference, obviously, between myself and all the other pursuit people sitting in this panel is that they all work within the boxing industry. And already, just from listening to what they have to say, there have been a lot of things said that are enlightening to everybody, including me, even though I am involved with it.

I work, obviously, slightly outside it as an observer, but in some ways and active observer. As a broadcaster, there are a couple of things that give me a little bit of an advantage in terms of an overview. And that is the fact that over the last 13 years, probably every week of my life, 1 day a week I interview six to eight boxers, just sit down and talk to them, and talk to them about just about everything that they want to talk about in terms of their boxing and what they have been up to in the last couple of months and all the rest of it.

Before I go on, by the way, I want to echo Senator McCain's points about, and I think it is appropriate to focus what happens here on a very specific narrow band of what can be accomplished. And some of the comments here about the specifics of what happens and how can we make them more uniform and how can we fix them, that, to me, is where the focus of Government can be effective. Because there are some things, as Senator McCain said, that no Government intervention would change or maybe should change. It is just the nature of the sport and the way it does business.

I want to also preface my comments by saying I agree with a lot of what is said here in terms of there are commissions in this country, like some of the ones that have been mentioned, who are doing all the things that you would want boxing officials to do, this State being one of them, Florida, New Jersey, California, Pennsylvania, Arizona, there is a number of them that you would say you want them to do those things. And I think overall as a sport boxing is safer than it was 20 years ago or 10 years ago or even 5 years ago. It is just a fact, and it is an overview that we should accept because it, in fact, is true.

But that being said, there are three areas that have been touched upon that I think are vital to deal with. And I think they

really need to be specifically addressed by whatever governmental body gets involved in this.

No. 1, you have heard a lot here about uniformity of rules and regulations. On our ESPN show at the beginning, there is always, at the beginning of the show just before the first fight, there is this little thing where we show the rules. And for me, I deal with 50 sets of rules instead of one set of rules, because we go into many, many States. We have probably been in 30 or 40 States doing our boxing show over the years, and as a joke usually after we show the rules, I usually say there will be a quiz later. And the fact of the matter is you could have a quiz because it changes just about every single week unless we are in the same State twice in a row.

More important than any single thing, even the competence of the people exacting the rules, the rules have to be the same. Somebody has to say that the rules are, in fact, the same. And my comments, again, as the other people, and again echoing what Senator McCain said, I am directing my comments not to the fight coming up here in January 29 at the M Gym or the potential Moore-Holyfield fight or things of that nature. I am directing my comments to all the club shows where it is not televised. They have only got maybe 1,000, 2,500 seats in their arena and they do not have additional revenue from somewhere else.

Those are the things that I am talking about. And those are the fights at which it is possible, depending on what State they are in, there is no insurance provided for the fighters, there may or may not be a paramedic on hand, the medical test beforehand may or may not be as good as they are supposed to be. And part of the reason is not just wanton irresponsibility on the part of the promoter. Part of it is a very real economic concern of a small businessman like any other small businessman that any of your Senate committees would be dealing with. They may not be able to make money if they institute all those measures, let us say, in a non-commissioned State.

And then they may be in a commissioned State that is just a little more frivolous than some of the good States about making sure that all those things are the case. And of course, the States without the commissions are the breeding grounds where what you are left with finally is the conscience and financial viability of what that promoter is doing. And in many cases, of course, that is not enough to get all those things done.

I think that obviously what we are looking at here is a situation where somehow somebody has got to make all the rules the same. In other words, if a three-knockdown rule is a good rule and is there to protect the boxer so that a guy cannot get knocked down 30 times if he is a hometown favorite and boy, they just do not want this fight to end with him losing under any circumstances—you know, everybody in town X says we cannot let this guy lose because he has a big fight coming up. It is going to bring more commerce to our city, more commerce to our State, he has been knocked down three times, but we do not care. Now, whether that rule is appropriate or not is for someone to decide. But the point is that presumably it is for the safety of the boxers. It needs to be the same over 50 States in the United States.

I think your comments were really good about the fact that when it is done right the rules are kind of simple in boxing. They really are basically simple. There are nuances to them, and when they are followed it is not a big mystery. You know, you can create certain things that are there for the safety of the fighters. The problem is they are not created everywhere.

No. 2, better recordkeeping, and that was also addressed here. Phil Marter and his group are about the best there is at getting records. They do not get it because not everything is sent to them. That is the group, and that was Ralph Sitro's group, that is as close as you come in boxing to having the perfect records. But of course, not everybody avails themselves of that. You need to know, not just from mismatch which can create all kinds of problems, also to know whether a boxer has been knocked out recently.

If you get a mismatch, a bad mismatch, in a State that has no commission, you are now talking about a bad mismatch in a State with no commission, maybe not good prefight tests, maybe no paramedic on hand, OK, maybe a referee who hardly ever referees and panics in a situation where that fighter is hurt, you can see that you have got a breeding ground for a disaster. Or even, dare I say, in a State where there is a commission and maybe they just do not take an active interest, or whatever.

The last thing, and this has been touched upon, and maybe I am in a unique position in a certain way, and I am hardly the last word on this though some people will think I think I am, the training of officials and getting good, well-trained officials. I believe that boxing suffers from this very badly. And again, it is easy to be a critic and it is easy to take potshots. Because, as Patricia said, you are sitting there having meeting after meeting, a lot of time and effort is put into it in the places where boxing is taken seriously and where people are really making an effort a lot of effort is made, and there are some wonderful, wonderful officials in boxing. And I am not going to talk about the judges because that is a different issue than we are talking about today. But two officials specifically.

First of all, referees. They can obviously have a huge impact on the boxer's safety. And I have seen many instances where referees actions have put fighters in jeopardy because they simply did not handle it. And the worst of all of this, and this is what speaks to the narrow focus of maybe what can be done at some point on a Federal level or however, there are referees that not only do not follow the rules of their own State, but do not know them, or do not know the rules have changed for USBA or world championship fight while they are handling the fight.

I have seen referees give a standing eight count in a championship match where it does not exist. I have seen referees that I interviewed afterward who said "Oh, I could not give him a standing eight count, it does not exist in the rule book." When, in fact, it does exist. It was a nontitle fight and it existed. It was available to this referee. They simply did not know it.

Now, this is not—I am not talking about the good referees and the people that know, but I am going to make a statement now that may seem too critical. There are not that many good referees in the United States in boxing. There just are not. I mean, it is a

fact. It is not an easy job. Everyone here will attest to that. Mills will certainly attest to it because he is a guy that has worked at his craft and has seen good and bad refereeing.

We need some kind of training that is uniform, literally uniform. In other words, here is what you do. This is too much pushing of a fighter, this is not enough, OK? When you are going to stop a fight, here are the procedures that you are supposed to go through. When a guy gets knocked down and he gets up, here is what you are supposed to do. The first thing is you send the man to the neutral corner. The next thing is you turn and you look at that fighter, and there are procedures you go through to stop the fight.

Seven out of 10 referees that I see do not seem to have criteria for doing that. Or if they do—let me amend that—they do not follow them, OK? So, the training has to be a lot better.

And the other person that has a big impact, obviously, on fighter safety are ringside physicians. Now, in most States where boxing is taken seriously, like this one and where it is done well, ringside physicians have a certain criteria that they work from. But there are many, many, many, many places in the United States where either they do not have criteria that will allow them to stop a fight because A or B or C is happening, or they ignore those criteria, or they have their own criteria. They may be fine ringside physicians and doing a great job, but they are going by their own criteria. And next month in that same State another ringside physician will go by his own criteria. And so the fight may or may not get stopped at a certain point.

And I will say this: There are many times where a fight is allowed to go on or stop based upon reasons that seem to have as much to do with commerce or relationships within that State as they do with safety. And I do not think that is too bold a statement to make.

Thank you.

Senator BRYAN. Mr. Bernstein, thank you very much.

I note a common thread that is woven throughout this testimony they did an excellent job of summarizing, Mr. Bernstein, and that is the uniform rules and regulations, the better recordkeeping, and the training of officials. And I frankly have not heard a discordant note among those who have spoken on this issue.

Let me begin with just a couple of questions of Judge Lane, if I may. Judge, I am informed that under Nevada rules the ringside physician does not have the power to stop a fight. There are some States that do have that requirement. Some in boxing say that that is a very important provision to have. You have refereed around the country, indeed, you have done some world international fights. Share with us your perspective. Correct me if I am misinformed, and if I am not, what is your own view beyond that?

Judge LANE. Well, I do not think you are misinformed, but I think, and this echoes what Al Bernstein said, a ring physician, in my view, sitting at ringside might not have the best perspective to stop a fight, to know when to stop a fight. But I do think this: In this State, and in States which have enlightened officials and have enlightened commissions, the referee consults with the ringside physician if that referee perceives a problem wherein the fight should be stopped. And I am aware of no case where a referee has

simply told the ringside physician "I think you are wrong, I am not going to stop the fight."

If you take the fighter to the corner, he is cut, and you say what do you think, and Flip Homansky who I think is great says "Mills, that is enough," or that fight that the cut is not cosmetic, it is bad, then you stop the fight.

Now, the only time I have overruled a ringside physician—this is something that Mr. Bernstein very ably pointed out—a local fight back up north where it was a local kid was cut bad, but everybody wanted him to win. And everybody was cussing and everybody was a little lit up, and they were cussing and throwing stuff at me for bringing the guy to the physician. And I said "What do you think," and he looked at me and said "Well, what do you think?" [Laughter.]

And I said "Hey, man, I want a medical opinion here." And he said "Well, it is OK with me." I said "You are wrong. This guy has a bad cut." So, I stopped the fight. But I can see overruling one being conservative. I cannot ever imagine a referee in this State overruling a ringside physician.

But a ringside physician cannot jump up on the apron in this State and say stop the fight. That rule does not exist in Nevada, and I am not sure it should exist because I do not think the ringside physician might know at the point in time he or she does that.

But I do echo what Al Bernstein said. If you have adequately and accurately trained referees, that problem should not surface.

Senator BRYAN. Mills, there was, in the most recent celebrated fight here in Nevada, a smaller ring. An 18-foot ring, as I understand, was used. And I do not suggest to you that that is why the individual who dropped from the sky was unsuccessful in landing in the ring, but there was obviously some controversy that you read about in boxing circles whether or not a smaller ring creates an additional health and safety risk to the fighter. Your own reaction to that?

Judge LANE. I do not believe that happens. I figure you could obviously have a ring too small, but I do not believe the size of the ring, whether it be between 18 to 24 feet, creates a health hazard.

Obviously, a puncher wants a smaller ring. Actually, also punchers will like some soft terrain so he can dig his toes in and does not have to move around so much. A boxer wants a little bigger ring and maybe a little easier to move. But I do not think between 18 and 24 feet creates a health or safety hazard. It may be to the benefit of a fighter, just like football teams that like to pass a lot do not like to have a wet field. But I do not think it creates a health problem.

Senator BRYAN. And finally, my last question of you, apropos of Mr. Bernstein's comment, and that is the need for better training for officials and his comment in terms of the relatively few people in the country who are good referees, and I suppose an extension of that there may be relatively few people who have the kind of training in other aspects, whether we are talking about the judges, the inspectors, but that comment overall, how do we enhance that quality? In other words, what kind of a program at whatever level it might be instituted, can be started to produce more people who have a greater expertise in refereeing, judging, inspecting?

Judge LANE. Well, my belief is that No. 1, the starting point is a commission. And another starting point is, and people have disagreed with me on this, Jack Fisk, for example, the boxing writer from the Chronicle, thinks I am wrong on this, but I think in order to be a good referee, No. 1, you must love it. You must be dedicated, but you must have some active participation in the discipline. I mean, you just know when you have been banged on the chin and you see somebody get banged on the chin, you know, if you have had it happen to you, you know what that person is going through.

I am not about to suggest that all fighters will make good referees. I do not say that at all. As a matter of fact, some of them make very terrible referees. But I think some basic fundamental having been involved in it is necessary, No. 1.

No. 2, the commissions—and our commission does it—have to be willing to grade, critic. Nothing is wrong with being criticized. It is good to get objective criticism. Critique it, grade it, and let the referees that do the job ref the fights.

And I end by saying, although Al did not touch on this directly, I think he must have been alluding to it, I talked about it, officials have got to be willing to pay the price to be in shape. That means doing your roadwork, doing your bag work, doing exercises. Everybody has a best weight. Everybody. And if a fighter is going to be within 5 pounds of his best weight, a referee should be within 5 pounds of his best weight. And those referees that get fat and let themselves go and not able to move and not able to get there when they should be there should not be allowed to referee.

I saw a kid get hit twice when he should not have been hit because the referee just did not get there in time. And there is no excuse for that.

Senator BRYAN. Ms. Jarman, a couple of questions of you, if I may. Why do you not tell me who does the grading? You have the highest grade. You are a grade A judge. Who makes that? Is there an international evaluation? Is that done by each of the local State commissions? Maybe you can share with us how that is done and make that a part of our record.

Ms. JARMAN. To my knowledge, Nevada is the only one that grades their officials. It started here. It is done with the commissioners and the executive director. We are brought in and our whole entire year in review is laid before us, and they say you have done this and this and this, and this is how you compared with your other colleagues in a certain fight. They give us percentages of times that we have been on the offside of a split decision, how many times we have had even rounds during the course of a year, it is a complete breakdown. And then, based on our performance, then we are graded for that year. And because you are an A in 1993 does not mean you are going to be an A in 1994.

One thing that the late Chuck Minker always said that really stands out in my mind is that you are only as good as your last fight. A fighter can have an off night and have a bad night, but an official cannot because you are remembered for that last fight.

Senator BRYAN. You are saying, Ms. Jarman, that with respect to the classification A, B, or C, that there is no uniform standard that applies across the country and that some State commissions,

even those that are good, as Mr. Bernstein indicated some that he thought were first rate, that they may not have the classification system at all?

Ms. JARMAN. No, sir. In fact, when I go to other States and other countries I ask them how do they get to the world title status, and many of them will say, "Well, you know, I have been a judge for x amount of years and I have just kind of moved along." I said "Well, are you graded or are you put in a category or are you compared against this group or that group," and they say "No, it is at the whim of whoever is in charge," if they have a commission. And if they do not have a commission they are just selected.

And generally, if there is not a commission for a world title fight. The world organization will send in an official from the outside. And they are not ranked, to my knowledge, because I have never received anything. I am sure that all of the world organizations have a preferred list, but there is not one that I know of that exists.

Senator BRYAN. Ms. Jarman, you have had a lot of experience, not only in this country but internationally. For the record, give us some perspective. How do we do in the United States, acknowledging the shortcomings that all of you have commented on in terms of the absence of commissions in some States and various degrees of effectiveness? But from an international perspective, how does the United States compare with other countries that host world title fights?

Ms. JARMAN. In my opinion?

Senator BRYAN. With respect to health and safety.

Ms. JARMAN. In my opinion, there is no comparison. Having traveled to some rural countries, what I considered rural countries. And if the country was not that rural, some of the cities were very rural. Many times there were no paramedics available.

Because Nevada is so strict and because they stay on us so much and we are always so aware of what we are supposed to do and where we are supposed to be, one of the things that sticks out in my mind is here the referee always knows exactly where the doctor is. So, if there is a problem, he turns around, he knows exactly where to look to get that doctor in the ring.

I have been at fights where they could not find the ring doctor. I have been at fights where there were no paramedics and there was no ambulance. I have been in fights where we have had a situation, and I kind of take a lead when I go into another country, simply because that is my nature, but I will sit down and talk with other officials, and I will talk to the referees. Well, what do you do when this happens, and what happens—how will you notify us? And I talk to the officials about even rounds and what do you do if there is a knockdown and how is that—if that particular fighter is leading in that round and he gets knocked down, what happens? Do you judge the whole 3 minutes of the round or do you just judge the last 30 seconds? And it is important, because philosophies means the way the person does what they do.

Insofar as my travels, I always come back and I always say to somebody, "I am glad to be back to Nevada. I am glad to be home. Nobody does it like we do." And when you are coming along and you are trying to get to that A status it is a pain and you feel like

you are being picked on because you have got to do it just this way. But it really works. In the end, in the long run, it really makes you a better official. And I am really very fortunate and grateful that I had the training that I had. Because when I go anyplace else you have the power of your conviction. You saw what you saw and you called it like you saw it, and that is it.

Senator BRYAN. Thank you very much.

Mr. Hall, a couple of questions for you. You have heard the testimony in which it is argued that there should be some uniformity around the country in terms of rules. In these areas that, again, to use Mr. Bernstein's matrix, uniform rules and regulations, recordkeeping, training of officials, do you agree with that premise, that there ought to be uniform rules and regulations.

Mr. HALL. Oh, I agree. I definitely agree with you on the standardization of the rules. I think we got off the point a lot. Nevada is the prima donna of boxing, we all know that. But I think what we really need to know about is Missouri, Kentucky, Arkansas, and Indiana, Midwestern States. What has happened there is the regulation became so stringent in Nevada, New Jersey, New York, Pennsylvania, California, where they do demand expensive head tests every time you fight, that a lot of promoters have come to the Midwest.

And our officiating is poor for one reason. In 1986 we had three professional fights in Missouri. Last year we had 42, No. 4 in the Nation. It overwhelmed me. I am the one-man band. I have got 10 inspectors that work for me, but I do not have the privilege of having 5 or 6 commissioners above me to consult with on my decisions. So, a lot of times I and my boss and her boss will get together and make a decision on what needs to happen.

Changing the rules is the same way. I can go back, and that is what I was telling you before, we argue the three-knockdown rule. Some larger States would like to change that rule. My argument toward that is I do not know that I have capable enough referees to make that determination. The same with the standing eight or a mandatory eight. Until I can get the quality of a referee as a Mills Lane, I have to use some extra precautions in my rules that you may not have here or you are willing to put that responsibility on the referee.

Luckily, Nevada has worked real well with us, and we have had Marc Ratner and Chuck Minker come into Missouri and do seminars with our officials. Now, through the ABC, I have promoted that aspect to a lot of other smaller States, and you will start to see their officials having biyearly seminars to train their officials. Before that there was none, you know. We are working toward those standardizations, but they are not going to happen overnight.

Senator BRYAN. Let me ask if you accept the premise that there ought to be standardization? And we have been informed that there are 43 States who have commissions, and that of those States that have commissions, if I recall from your testimony, 37 States are members of the organization that you head up as president. That being the case, how can we achieve that standardization? There are those who say "Look, the only way to achieve standardization is through Federal legislation, and some of us have some reluctance, frankly, to embrace Federal legislation. But how do we achieve it

if it is desirable, if it is necessary to protect the health and safety of the fighter, in the opinion of those of you who are State officials in the sense of regulatory policy, how do we achieve that uniformity or standardization?"

Mr. HALL. Well, hopefully, we have been doing that. Like I said, we voted a year ago to make these minimum standards. There are 27 rules. They are from the 12-round rule to the three-knockdown rule.

Senator BRYAN. So, you have adopted yourself as an organization with standards that are uniform.

Mr. HALL. Twenty-seven.

Senator BRYAN. Twenty-seven.

Mr. HALL. Minimum standards as rules that we have to abide by.

Senator BRYAN. And let me just ask you a followup on that. I do not want to get into too much detail because I know Senator McCain has a number of questions to ask and I want him to have plenty of time to question Mr. Bernstein. Of those 27 standards, tell us what progress we are making in terms of other States adopting those. Obviously, a national association of State boxing commissions cannot require a State to enact that. So, it depends upon the State responding. And maybe you can give us some perspective. I mean, are States moving in that direction? How many States have adopted the 27 standards?

Mr. HALL. Well hopefully, not all of them have to adopt all 27. A lot of them are minute changes. As Al said, you know, they change in every State. But most of those changes are the three-knockdown rule, the standing eight, and can a doctor stop the fight.

Senator BRYAN. How are we doing? I guess, the basic question. Have States done that?

Mr. HALL. I think, with the ability of the States to get to the meetings—before, we were having—I guess when it started, like I said, there were four States. The next year there were 13 States, 2 years ago 17, last meeting 23 States were there. I think they are finding out we are a viable organization. We are not there to criticize our peers. I think before, and as I told your aides, when you talk to somebody in boxing you are dealing with 43 egos that are really hard to get around.

Senator BRYAN. We have twice that number in the U.S. Senate. [Laughter.]

Present company excepted.

Mr. HALL. And that is a problem, you know, trying to convince somebody—a Randy Gordon in New York—what problems I have in Missouri with my officials that that three-knockdown rule has to stay there. And I am not one of the worst by any means.

I visit a lot of other States surrounding me because other commissions in those States and try to get them on board with what we are doing, but you will find it is going to take us a while because we are not football, we are not baseball, and we do not have the large expense accounts to be able to travel and to get to these meetings. So, we are trying now to hold them at different locations throughout the United States trying to get more people active. And at those meetings, we are holding official seminars for those local officials whenever we have a meeting.

Senator BRYAN. Mr. Hall, I am not here to berate or be critical because you are trying, I think, to do the right thing. But I think it is pretty clear that this message needs to go out. The history of legislation at the Federal level is, as a consequence of the failure of action at the local or State levels. And I can tell you, I have some reluctance to embrace Federal regulation. I guess as a former Governor, I think that not all wisdom resides on the banks of the Potomac.

But if there is failure to achieve what I think most of you are testifying and what you yourself acknowledge, the need for standardization, if the States fail to act, I can tell you I think it is inevitable, you can just guarantee it. You can put down a good piece of your own hard-earned currency that it is going to occur at the Federal level.

And I think States that have been reluctant to adopt tough consistent health and safety standards—and again, I am not being critical of you, Mr. Hall. I think you are trying to do the right thing.

Mr. HALL. We have never disagreed with that.

Senator BRYAN. I think they need to get the message because the health and safety of fighters, as Senator McCain has so eloquently commented on his opening statement, is a legitimate public policy concern. It is not a mettlesome inquiry. That is legitimate, and you recognize that and are trying to do the right thing, but I think your colleagues in other States who have been, for whatever reason, reluctant to embrace that, need to hear that message loud and clear, or it will happen.

Senator BRYAN. Mr. Hazelton, let me turn to you, if I may, just for a quick one. You mentioned this Red Perry situation. I think Senator McCain commented on that. Is there a health and safety issue involved there?

This is the Rick Parker situation that Senator McCain mentioned. Is that a health and safety issue for us?

Mr. HAZELTON. Senator, I do not know whether it is a health and safety issue or not. People like Mr. Parker—Jerome Peat, who is an interesting fellow himself—when your wife or your children are afraid to go to the mall or the supermarket because of something that might happen to them, that is not organized crime. Organized crime is not going to sweep down and steal your purse and knock you and hurt you. It is middle class thugs.

And when we look at boxing overall as to what the problems were and what the Federal Government has done previously as far as similar views, we keep looking for this sinister organized crime thing. But really, we have got a whole bunch of middle level management bad guys that are going into States and doing things with fights. Call it fixing, call it overly creative matchmaking, call it exchange of monetary consideration which is improper, that are affecting the outcome of fights and giving a black eye to boxing. And frankly, Walt Kelly revisited, "We have seen the enemy and it is us."

We let this happen. We do. The State commissions let this happen. And my colleague, Mr. Hall, and I have discussed this at great length, along with a number of other people. I, after serving 8 years in the Florida legislature, am here to tell you that you would

never hear me say "Yes, I would like to see Federal intervention." But boy, am I close to it.

We are dealing with 37 to 43 different entities. We all agree on a set of rules and we all agree all these things to take place, and then everybody goes home and nothing happens. And it is time we had to enforce it.

If I could, just a second, Patricia talked about how you rate your judges. In Florida, we put everybody in a computer. And if you start getting 7 percent off you need to start thinking seriously about something else to do, and we critique them on that. We do not rate our judges because we firmly believe that a four-round fighter is entitled to the same consideration and concern as a champion. And I am quite certain I have seen Mr. Lane work a lot of minor fights with just as much enthusiasm as worldwide.

The training aspect is a nightmare to try and do it nationwide. Someplace, someone is going to have to say "Hey, all you guys have to get along."

Senator BRYAN. Mr. Bernstein, you were the one that kind of tied this all together with those three broad categories. How do we achieve that standardization or uniformity?

Mr. BERNSTEIN. Well, it is interesting to me. Again, I am kind of an observer. Personally, I think a lot of the things that have been said here have been so focused that I think that they are really beneficial. And I tell you, just sitting here, I made a note about one simple thing, and I think it is a fact. Everybody sitting here, and other people, would be—even though we have good people here—would be 50 percent better boxing directors, boxing referees, boxing inspectors, if they all operated under rules that made sense, the same rules.

In other words, it is not always the people. It is the fact that they need rules to follow that they can all go to. In other words, when a referee panics, it is because he is not sure what he is supposed to do, and boxing is perceived as this sport where you kind of go by the seat of your pants.

I think that what these gentlemen have said, when I go from State to State my little panel should never change. My panel should state—we should be able to put that same panel up in every single State in the United States. And then those other rules that go with it should. And my own personal opinion is, and I do not know—I did read the—I looked at the Roth bill and all the rest of it. And I think, Don, you made a great, great comment about the fact that we get off on organized crime and other things that at this point are so extraneous to what he is talking about.

The Rick Parkers of the world, those are the guys you have got to think about. And not just the Rick Parkers. The local promoter who is not a bad guy, but like every businessman, he will take a little snip off here because he needs to make money. And we need to address the fact that you do not want to overregulate it so that no one can make money.

But personally, I do not see any other way, other than to get somebody, whether it is the Federal Government or some agency, that can simply say look, we are not going to tell you guys—we are not going to make up a list of 4 million rules about how you should act. What we are going to say is that you have got to—let us say

these 27 rules that these guys who are in boxing made up—you have got to abide by them.

Senator BRYAN. Mr. Bernstein, I appreciate it, and I apologize to my colleague for taking so much time. Let me yield.

Senator MCCAIN. I thank the chairman, and I think your questions are very important, and I would like to follow up on some of them. And I would like to refocus, if I might, just for a second, about the of boxing, not in Nevada, but in this country today. I was pleased to hear Ms. Jarman's assessment of being glad to be back in the USA. But Fight Fax has provided us with a lot of information on specific boxers that is very interesting.

Mr. Jim Holley, who has a record of 2 wins, 31 losses, and will be 46 years old in June, has been knocked out 31 times. He has been knocked out in his last 12 fights, all in the first or second round, fought people who were undefeated, and has been suspended on numerous, many occasions.

There is a Reginald Strickland who also uses different names, and he has 28 losses since February 1993—28 losses. He has lost 28 times since February 1993, in just 1 year. We have him listed under three names.

The famous Mr. Sim Black. He is known as the legendary Simmy Black because he has been knocked out 91 times—91 times this fighter has been knocked out. You cannot tell me Judge Lane, that someone's health will not suffer if he has been knocked out 91 times. And he continues to experience numerous suspensions—151 losses and counting.

Mr. Dominic Monaco, another boxer, may be 43 years old. The New York Commission director said he should be barred everywhere, and his condition is deteriorating badly. Why did Massachusetts let him fight in December 1993?

Mr. Tommy Jeans will be 38 years old. He has been knocked out 19 times in the last 5 years, and has been knocked out 10 straight times. Three other States let him continue to fight after he had been suspended. It seems to me that the people who were making those matches and allowing him to fight should be suspended, and prosecuted, too.

So, in all due respect here to a lot of the things we are saying, we are talking about some people who I think already whose lives have been physically destroyed, and probably mentally, as well. Which brings me, then, back to a course of what I have been trying to say, and ask of Mr. Hazelton and Mr. Hall, is how do we prevent this from happening? The question especially pertains to States—a good example, because of gambling is the State of Mississippi. Five years ago, I never saw Al Bernstein at the—is it the Magic Casino?

Mr. BERNSTEIN. Casino Magic.

Senator MCCAIN. Now, we see a burgeoning boxing industry, and maybe Mr. Hazelton and Mr. Hall can tell me of what quality, in all due respect. Mississippi is a wonderful State. But what kind of rules and regulation do they have, and what kind of commission do they have there?

Mr. HALL. Well, luckily, Billy attends the meetings, and so he is trying. But it has overwhelmed him, too. I guess at the last meeting he told us 20 new casinos in the next 2 months. And I am going

damn. In a way, I can handle it. Hopefully, I would be able to double the staff because of the money coming in off of the casinos, but I am not sure.

The last couple of weeks since we have talked, Paul probably opened my eyes to a lot of things that I do not get to look at. But an ID card, as we talked about before, the pass book is not working. We know it is not working. What happens is a kid from Kansas comes over to Missouri, there is no commission, I give him a pass book. He goes to Iowa, Al Myer gives him a pass book. And the kid ends up with three or four pass books. He goes to Florida, and they will give Don the best one that he has got.

So, talking to Phil Marter over the last few weeks, we have come up with an idea that when they become a pro, when they have their pro debut, they are assigned a record number at Fight Facts that would be put onto this card with their picture, their birth date, social security, and hopefully a thumb print or some permanent ID, that they would have to carry with them. They would not be able to fight, you know, if it has to be a Federal or something to say that you cannot box without your ID card, it is going to happen. But that is going to stop what we are talking about.

The Simmy Blacks and stuff, we were laughing as you were talking about Simmy because you say 91 knockouts, I leaned over to Al and told him that he had probably only been hit 43 times. [Laughter.]

We all know Simmy real well, and Simmy can take a dive better than anybody I have ever seen. [Laughter.]

And if you talk to him it would be like talking to me, because Simmy has a great sense of humor. None of the 91 knockouts have hurt him. But there are serious consequences from other people that have a 1 and 17 record that we know are getting hurt.

And again, some of those names you read off, if they would have sent that suspension to Don we would all know about it and we do not find out a lot of times—Don and I will call each other the day after a fight, “Well, what the hell did you let him fight for? You knew he was on suspension.” “No, I did not.” But it was lack of communications. And that has come a long way. Two years ago, we did not have the suspension list.

Judge LANE. Senator McCain, I was not about to suggest to you that what you are saying is wrong, because you are right. I agree with the gentleman that said a lot of fighters do go in—I will not say the lay—well, they lay down. I mean, they just quit. In Nevada, we pull their purses. Our commission pulls their purses when they quit, which they should.

You asked how could you stop that. Let me give you an example of how you could stop that and how it has been stopped in Nevada. Let us say a kid comes in Nevada to fight. And the promoter signed him to fight. You are going to fight so and so in a six rounder. That person will be required to give documentation of his last 2 years of professional prizefighting. That can be verified by simple phone calls and/or faxes.

Our executive director, Marc Ratner, as I alluded to earlier in my testimony, has said “Sorry, you cannot make this fight.” And the promoters say “What do you mean, I cannot make this fight? I cannot fill my card up.” Marc says “Too bad. You cannot bring a kid

in here that has 0 and 12." The promoter says "Well, he is a tough 0 and 12." There is no such thing as a tough 0 and 12. That means you lost every fight. You got beat 12 times.

But if you are not going to have Federal regulation, you are going to have to leave it to the States, and I have great respect for the gentleman from Missouri and I accept your rebuttal relative to the Morrison fight, although I am not sure I agree with all of it, but be that as it may, the commissions are going to have to take a stand on that. And if the Federal Government says that is the stand you will take, you will not have to tell Nevada that. We already take it. That is the way to deal with that type of stuff.

Senator MCCAIN. I do not disagree. What about the fact that, and I have been told this by many knowledgeable sources, there are fighters who are knocked out in five cities in 6 weeks under different names. So, you make the phone call about Joe Smith, and he did not fight in Philadelphia under the name Joe Smith. He did under Bill Brown and he was knocked out and there is no record because he used a different name.

Judge LANE. Well, if you ask a fighter—first off, if you aliases you are supposed to cough them up. If you do not, you do not reflect them. Where did you fight the last? We have got the promoter says you are two and one, or you are two and five. Where did you fight? Where did you have those five fights? Under which name did you fight? And if you cannot verify that he had five fights in the last year, that ought to be pretty suggestive evidence that maybe he did not have five fights or what name did he fight under. And if you cannot verify what he tells you, then you tell the promoter "No, that person cannot fight."

Senator MCCAIN. Well, I do not want to belabor the subject, but I do not know how you can prove that a guy fought when he fought under a different name in a different State without some kind of overall record.

Judge LANE. Well, the burden of proof would be on the person saying that he made the fights. Let us say that somebody says "My record is five and five." He says "All right, where did you fight your last five fights?" "Well, I fought in Salem, OR, under the name of John Smith." You call. "We did not have any John Smith here." "Sorry, you lied. You do not compete in this State."

Mr. HAZELTON. Senator, we have noticed that before every fight in our State, and in quite a few others, we first call Fight Facts and ask them on the proposed card for the record, the up-to-date record. Now, we have got a whole file folder full of this guy's—but I do not know where he fought last week or the night before. So, we get that record before the decision is made that the guy can fight. Now, if the commission in that State has not set the results into Fight Facts, I am not going to get the complete information from Phil Marter.

Now, when we go to weigh-in the young man is given a fight history form where he must put down his last five fights. We go ahead and check that against the record we have got. If indeed we have no record on this fellow they have got to bring us some type of supporting evidence, if it is from Mexico or whatever.

The problem is not with Nevada and the five or seven States. It is with the other States that will not do their homework and will

not go ahead and find the necessary information before they approve the fight. And we are back to square one, then.

Senator MCCAIN. I am afraid I have belabored it a little bit, but I think that one of the real problems here is this business of tracking the records, and that is where the physical injury many times arises. At least, I think, we are all in agreement at that part.

Let me just for a moment, with you and Mr. Hall, talk about Rick Elvis Parker 1 minute, because I agree with you that there is not the problem of pervasive mafia penetration of boxing that many people would sometimes even like to believe. And I also agree with you that there is midlevel corruption which is sometimes in some areas very pervasive. And Rick Elvis Parker is probably the best example of that kind of thing.

Now, according to this article from Sports Illustrated, Mr. Parker, an Orlando-based operator, promoted some of George Forman's early fights, but he also, according to this article, fixed a Tex Cobb fight, and fixed a Gasteneau fight. Sports Illustrated received, in this article, statements from Sonny Barch, is the guy's name, who clearly states that the fix was in, that they took cocaine together the night before the fight, et cetera, et cetera. I am sure you are familiar with all this. Tell me, how did all this happen? And it did happen in Florida; right?

Mr. HAZELTON. Some of his activities took place in Florida. Rick Parker has promoted in Florida since I have been with the commission, since December of 1987, and we have not had any activity Mr. Parker was involved in without problems. There always have been problems, whether bills have not been paid or taxes have not been paid on time, fighters have not been paid in a timely manner, so there has always been a problem.

On the fight in question, Tex Cobb was not supposed to fight Sonny Barch, he was supposed to fight a fellow by the name of Tim "Doc" Anderson. At the last minute, and this is where the bugaboo comes in, and almost every single problem you have got with a fight, it is that last minute substitution, that thing they try to bring in at the last minute. So, I approved Doc Anderson with Tex Cobb, for obvious reasons. Anderson had gone four rounds with Foreman, had fought with Larry Holmes, he had enough experience. Tex Cobb, despite what some people might say about his abilities, had been around a long time and was a pretty tough foe. This fight was OK. Cobb had been away for a couple of years.

At the last minute, Mr. Parker insisted that we have a substitution, and it would be Sonny Barch. Well, first of all, Barch works for Parker. He worked for him as his advance man. He had not been in the ring for several years himself, and the answer was "No, we would not allow the fight."

If you have a copy of the Boxing Illustrated article, it will summarize pretty much what took place that day. It was less than pleasant. I wound up making telephone calls to my commission, three of whom said, basically, "What difference does it make." We pulled him out of the ring for 3 years. Go ahead and get it over with, because Parker is making this allegation that he is going to be totally ruined, that it was going to be a television fight, and that Cobb's career was down the drain, the money he expended in Flor-

ida was wrong, and this should take place and that would take place, and the commission said "Good, go ahead."

So, Barch gets in the ring with him and kneels down three times during the course of the fight. There was a problem. Before we even bothered getting to probable cause as to whether or not inappropriate activity had taken place at the fight, both Barch and Cobb tested positive for drugs. We went in and suspended both of them.

Senator MCCAIN. Even though Mr. Barch said he used some water in the dressing room after the fight.

Mr. HAZELTON. We used Smith-Kline Laboratory. Despite the fact that Mr. Barch has been very helpful in trying to correct these indiscretions, I will go with Smith-Kline. And they said both of them tested positive. We put them both under suspension. And although Mr. Parker, who I have been accused of disliking him personally, and I do not. I do not. I dislike what he does, not dislike him personally, despite the fact that I have had more arguments with him than anybody else in boxing.

Jerome Peat, who comes into Florida and Massachusetts and Colorado and Canada and points east, west, north, and south, where the amount of money, I think, alleged in the Sports Illustrated article was \$2,000, for \$4,000, Jerome Peat can bring you the whole side of a card. He can bring you four or five fighters, none of whom will last over 1 minute and they will all be out of there. And Jerome might even get in the ring and fight himself on the card. He has been on lifetime suspension in Florida. He still shows up all over the country. He is worse than any plague you can imagine as far as boxing is concerned.

Senator MCCAIN. Does Mr. Parker still show up all over the country?

Mr. HAZELTON. Well, Mr. Parker shows up. I believe he shows up on Mississippi on the heavyweight boxing marathon, or whatever it was. I think that was to serve papers on Burt Cooper. I think he shows up in a promotional context where he claims promotional rights to these fighters. I do not know whether he is licensed to promote fights in other States at the present time. He is not licensed in Florida.

In September 1992, September 15, 1992, following the fight in which Barch and Cobb were involved, Mr. Parker did not put on another event, and we allowed his license to lapse December 31, which is a little easier for those of us involved in the bureaucratic concept than revoking a license.

Senator MCCAIN. But should not we at least have a situation, Mr. Hazelton, where if he is barred for life in Florida he should be barred for life everywhere?

Mr. HALL. He is still on your suspension list.

Mr. HAZELTON. I do not know.

Senator MCCAIN. Or suspended, even? Should not he be suspended everywhere?

Mr. HAZELTON. If he is on the suspension list, he should be suspended everywhere.

Mr. Parker availed himself of a legal loophole, and by not applying for other license to be revoked or turned down, he is not on the

suspension list, but there is not a person in boxing that does not know about it, and they allow him to do business.

Now, Jerome Peat is on the list, has been on the list, and still does business throughout the country.

Senator MCCAIN. Thank you, Mr. Hazelton. Mr. Bernstein, first of all, it is nice to see you not in your tuxedo. [Laughter.]

I have watched you and your partner on several occasions, as is appropriate, judge who is winning or losing the fight as the fight progresses, and on a few occasions, you have been astounded at the outcome. And I am not talking about the Whitaker-Chavez fight which earned the front-page cover story in Sports Illustrated entitled "ROBBED!" but of other fights you have been absolutely astounded at, along with a lot of observers. I remember one of the things that motivated my colleague, Senator Roth, which is the Dave Tiberi-Tony fight.

By the way, could we include in the record Senator Roth's statement?

Senator BRYAN. We certainly may, for the record. That will be included. Absolutely.

Senator MCCAIN. Thank you.

[The prepared statement of Senator Roth follows:]

PREPARED STATEMENT OF SENATOR ROTH

I thank the Chairman and members of the Subcommittee for the opportunity to submit this statement here today as you examine the sport of professional boxing. As the Ranking Minority Member of the Senate Permanent Subcommittee on Investigations, I recently concluded a one and one-half year investigation of corruption in professional boxing. Based on that investigation, I can state in the strongest possible terms that legislative hearings such as these are badly needed and long overdue.

The last time the Senate held hearings on boxing reform legislation under the leadership of Senator Estes Kefauver, the United States was represented at the Olympics by a brash young boxer then-called Cassius Clay. Unfortunately, our investigation found that, while the names have changed, most of the problems Senator Kefauver found in boxing more than 30 years ago still exist today. Our investigation concluded that the sport's problems remain serious; the industry has proved to be incapable of effective self-regulation; and the current state-based regulatory structure is in need of a major overhaul.

The primary obstacle facing boxing then and now is the sport's ineffective system of regulation. This state-based regulatory scheme is comprised of inconsistent and often inadequate rules and regulations, compounded by equally inconsistent enforcement policies. The bottom line is that even if there are good rules on the books, they often are not enforced to the detriment of the health and safety of the boxers and the credibility of the sport.

I was often asked why we were investigating and considering federal oversight of boxing and not other sports. The answer is plain—boxing is different than other sports. Boxing does not have a central self-regulatory authority like a league president or commissioner, nor is it likely that, in the absence of federal legislation, any such self-regulatory authority will be established.

Instead, professional boxing is governed by a patchwork system of state-by-state regulations. Again, unlike other sports, boxing lacks uniformity. There is no other sport in which the rules and regulations vary so widely, as does their enforcement. And there are still some states where professional boxing takes place, but is totally unregulated. The current system of inadequate, or no regulation presents grave dangers to the health and safety of the young men who choose to enter the boxing profession.

This is a system under which the regulated often rule the regulators and the most powerful people are effectively beyond the regulators' reach.

Professional boxing today is controlled in large part by international sanctioning organizations—the so-called "alphabet soup" organizations. The power of these groups stems from their control of the most sought after prizes in boxing—world titles. These are the entities responsible for the vast proliferation of world titles we

have seen in recent years. Where there used to be eight, there are now at least 51 world titles and that includes only the three major sanctioning bodies. These are self-appointed entities, accountable to no one, and generally remain unregulated by anyone.

By controlling the world titles and the boxers' rankings, the sanctioning bodies are able to extract large sanction fees from boxers and promoters. Heavyweight champion Evander Holyfield told us that he paid nearly \$600,000 in sanction fees for his title fight against Larry Holmes and received little in return—he even had to pay for his own championship belts.

Sanctioning bodies know the power they wield, and they frequently seek to use it to manipulate state regulators into relinquishing their responsibility to set the rules and choose referees and judges, lest the sanctioning body move the fight, along with its often substantial revenue, to a more compliant jurisdiction. By acceding to the wishes of the sanctioning bodies, the state regulators reduce the accountability of the judges and referees they are supposed to license and supervise. When questionable judging of a fight occurs, this leaves the state regulators, and the boxers, little recourse.

An example of just such a situation occurred in the recent Pernell Whitaker-Julio Cesar Chavez title fight in San Antonio, Texas. Most people watching the fight thought Whitaker defeated the favored Chavez. While the Texas judge declared Whitaker the winner, the two other judges—one from England and one from Switzerland—called the fight even, resulting in a majority draw.

I directed my staff to investigate that fight. We found that, despite the apparent erroneous application of the rules resulting in an unfair decision, state regulators appeared incapable of effectively investigating wrongdoing, having abdicated control of the fight to the sanctioning body.

The ultimate victim of all of these inequities is the boxer. The boxer is generally at the bottom of the boxing food chain. Occasionally a boxer makes it to the top and prospers, but most boxers never get close to the big paydays and world title shots. And boxers enjoy few, if any, of the protections and benefits accorded other professional athletes such as health insurance and pension plans. Many boxers end up physically and financially wracked by a system woefully unable to protect them on either count. We take great pride when our Olympic boxers carry the American flag into the ring. When these same boxers turn professional and the system lets them down, that same sense of pride demands that these men deserve and obtain better treatment.

In addition to the lack of health and safety protection, we found boxers are often victimized by the people who are supposed to be looking out for their best interests—their managers and promoters. Former cruiserweight champion Bobby Czyz testified that, "There is more honesty, loyalty and decency among common criminals and street thieves than among promoters and managers in boxing today." Yet boxers, who are usually at a disadvantage in business situations, depend upon these people to build their careers and earn a living.

Conflicts of interest are rampant throughout the boxing business. One blatant example was the 1986 Tim Witherspoon-James "Bonecrusher" Smith fight in Madison Square Garden. In that fight, Don King was the promoter and his stepson, Carl King, the manager of record for both boxers in the same fight—a clear violation of New York regulations.

Conflicts of interest apparently are such common practice in boxing that they extend to institutions as well as individuals. Until recently, for example, Nevada state athletic commissioners regularly held positions with sanctioning organizations. The Nevada State Athletic Commission also routinely helps the sanctioning bodies collect their fees despite there being no specific authority under Nevada law to do so. It was this policy that led the Nevada Commission to withhold Riddick Bowe's purse for several days after his dramatic victory over Evander Holyfield to become the new world heavyweight champion because Bowe had not paid the WBC's sanctioning fee.

Even where states have regulations outlawing certain business practices, we found these regulations are too often either rarely enforced, easily evaded, or both. A good example involves the use of multiple option contracts, which are commonly sought by promoters to tie boxers into exclusive arrangements for multiple future fights. Nevada has a rule against these contracts, which Nevada commissioners testified "create a form of slavery." Yet promoters and managers easily evade this prohibition by entering into multiple contracts. One contract without options is filed with the athletic commission to meet Nevada requirements; however, another contract is signed including options, which is in fact the controlling contract. This latter contract is signed in another state and the Nevada state regulators never see it.

This exact scenario occurred for the Buddy McGirt-Simon Brown WBC welterweight championship fight in Las Vegas in 1991.

Professional boxing today also remains subject to the influence of organized crime. The business of boxing is ideally suited for organized crime for two primary reasons—it involves large sums of money and it is ineffectively regulated. In boxing terms, this amounts to a classic mismatch. The boxing regulatory system is not up to the task of excluding organized crime. As with other boxing regulations, we found that even those states that have rules enabling them to exclude unsavory characters from the boxing business rarely enforce them. Former Gambino crime family underboss Sammy "the Bull" Gravano best summed up organized crime's view of state boxing regulators when he testified that "I don't think we know that they exist. * * *

One can only conclude, as did Senator Kefauver 32 years ago, that the states are unable to effectively regulate professional boxing. This is due both to a lack of will and to systemic obstacles such as limited resources and jurisdiction. It is also clear that the boxing industry is presently unable to effectively regulate itself, which is the course I believe we all would prefer. Given the continuing serious problems facing the sport, what then are our options? Some say boxing should be abolished. I believe that would be both unworkable and unfair to the many young men for whom boxing provides opportunities, as well as to the sport's millions of devoted fans.

I believe the best option is for us to provide some form of federal oversight of professional boxing. This is the best means by which we can establish the uniformity of rules and enforcement essential to protect the health and safety of boxers and the credibility of the sport. It was with those goals in mind that I introduced the legislation before us today—the Professional Boxing Corporation Act of 1993, S. 1189.

This legislation establishes a non-profit government corporation that, except for an initial start-up loan, will be self-funding. It will cost the taxpayer nothing. This Corporation will not replace existing state boxing authorities—rather, it will work with them to develop and enforce uniform minimum standards for professional boxing to protect the boxers' safety and reduce corruption and unfairness. This legislation provides the unifying authority currently lacking in professional boxing.

I also want to underscore the fact that this Corporation will not micromanage boxing—that will be left to the sport itself, as it should be. For example, this legislation specifically prohibits the Corporation from ranking boxers or promoting fights. The Corporation will work with the state boxing authorities to ensure that everyone plays by the same rules and that those rules are enforced.

This legislation marks the first time in the long history of efforts at boxing reform that both Republicans and Democrats in both the Senate and the House have joined together to introduce the same bill in both bodies. We should not squander this opportunity to enact meaningful and effective reform in a sport where that is long overdue.

I think it is fitting that this hearing is being held in Las Vegas, which has become the Mecca of professional boxing. However, it is important we not lose sight of the fact that most boxers never see the glamour of a Las Vegas world title fight. They slug away, anonymously, in gyms throughout the country, chasing a dream. We owe it to these young men to establish a boxing regulatory system that works as hard to protect them outside the ring as they do inside the ring. For the boxers, for their fans, and for the credibility of the sport as a whole, I urge my colleagues to join with me in passing this legislation.

Thank you again for the opportunity to testify before you here today, and I look forward to working with you on this important issue.

Senator BRYAN. Some of these decisions exceed the bounds of reality. Have you got any theory as to why that should be?

Mr. BERNSTEIN. Well, my feeling is that there are a couple of problems that lead to that. And again, I hardly think I am the last word. And I have said so many times, I am broadcasting, and I am doing other things. But if it is so obvious to me and it is so obvious to the viewer, it sure ought to be obvious to a judge who has only one job that night and that is to judge what is happening in the ring.

I think that the judging in boxing is symptomatic of all the things that have been talked about here. It is just a little more difficult to pin down. What has been said here all morning is every-

body here is suffering from a lack of sometimes knowing what exactly is the absolute proper procedure to do, and even when they know it, getting it accomplished.

Judging is the same way in boxing. Judges are left, no matter what anyone says, with totally subjective thoughts on what they are doing. They have to sit there, and even the judges that have no bias and want to do a good job are left with not enough criteria to do their job. And so as a result, they are doing the best they can in many cases, but they may not be judging on the same criteria as the guy sitting across the ring or the guy sitting over there. And so they come up with a score that is widely divergent.

And then you also get into the competence of the person and then the next thing you get into is whether they do, in fact, have some bias. And is that bias perceived upon the fact that some fighter is going to bring more money back to a State, them another chance to judge, and another chance to get something done.

Senator MCCAIN. Or if that judge has been flown from his home in England and wined and dined.

Mr. BERNSTEIN. Right. Yes, in the case of large fights, correct.

The thing I would say, and this is probably going to be a radical notion, but I believe strongly that if boxing is a sport then it should be scored like baseball, football, basketball, and everything else. If somebody hits me in the jaw and I wobble and I am kind of hurt, but if I land 15 jabs that are good, solid-landing punches, I want to get that round. I deserve that round. I should have that round. That is often not the case.

There is a phrase in boxing scoring called "ring generalship," which I think is the most patently absurd word in sports, the most patently absurd phrase. I think boxing is real simple. I think that every judge ought to have—for their own use, now, I am not saying into a central computer—should have a big button over here, a big button over here, and they should watch fighter A and fighter B, and for their own use, when fighter A scores they should punch huge buttons that they cannot miss—B, A, B, A.

They now have a printout. At the end of the round a printout comes out. They will get it for their own use to remind themselves of what Patricia pointed out. Some judges literally do not remember the first 30 seconds of a round. They have forgotten, for some bizarre reason. They now have a comparison of punches, OK?

I do not think anything else means anything, because I think what ring generalship is, it allows you not to be hit. In other words, if I am Mohammed Ali and I bring generalship, what that does is it means I am not going to be hit. So, the points I get for having ring generalship is I did not get hit with a punch. I mean, Willie Pep told me once that he won a round without throwing a fight—I mean, won a round without throwing a punch. And it is a fact. It is boxing lore. Everybody knows it is true. He won a round years ago, did not throw a punch.

Ms. JARMAN. Excuse me.

Senator MCCAIN. Yes, Ms. Jarman, and before you throw an addition to that, would you comment. Were you surprised when a judge who was well-respected and judged the Chavez-Whitaker fight was quoted as saying that he thought it was correct for him

to take away a point for a low blow when the referee did not do it? Please go ahead.

Ms. JARMAN. For the record, first of all, in the State of Nevada we have a code of ethics where we are not supposed to criticize our colleagues. However—[Laughter.]

Senator MCCAIN. We have that rule in the Senate. [Laughter.]

Ms. JARMAN. This is a personal opinion.

Senator BRYAN. Sounds like the Senate, there.

Ms. JARMAN. This is a personal opinion. He was not a Nevada official, so—I was not only surprised, I was appalled that he did that. We are taught from day 1 that the referee is in charge, no matter what you think, if it is not called that you cannot deduct a point just because you thought it should have been deducted. If it is a one-sided round and one fighter is clearly winning the round and the other fighter has not been knocked down, if you can clearly justify that that is a one-sided round in your opinion, then you can make that a 10-8 round. But you are not deducting it because the referee did not call it. You did that because you, by your own criteria, have decided this is a one-sided round, fighter A is clearly far above fighter B, although it is not a knockdown you can have a 10-8 round.

I would like to take exception to some of the things that Mr. Bernstein has said. With all due respect, and I do have the greatest admiration for Mr. Bernstein.

Mr. BERNSTEIN. And I have the same for you.

Ms. JARMAN. Thank you very much. I think it is absurd that we would have buttons to sit there and go left, right, left, right, fighter A, fighter B. If an official cannot keep a tally within their own mind, within their own being, of what is going on, then that official, in my opinion only, should not be officiating. I think it is up to the States to train their officials. I think it is up to the States to take the initiative, as Nevada has done, to make their officials and their commission the best that they can. I think that in States that do not have commissions they should not be allowed to promote boxing. End of conversation.

There has to be someone who is in charge. There have to be some rules that the State abides by. We have situations where the world organization comes in and says we want this, this, and this, and our commissioner said we are not having it. And if you do not like it the way we do it, then you take your fight someplace else. You have to be able to take that position.

Senator MCCAIN. But you put your finger on the problem in my view, Ms. Jarman, and that is people do take their fights someplace else. And that is when we start running into problems. And that is why I think to some degree as Mr. Hazelton has said, we may have to have some kind of minimal Federal standards that need to be adhered to. Because if every State were like the State of Nevada and the quality of you two individuals, we would not be holding this hearing.

Ms. JARMAN. Well, Senator, with all due respect, I do not think that from what I have observed that the Federal Government needs to put another piece of cake on their plate. I think that the States, as obvious by Nevada, have the ability to do this. They have the ability to take an aggressive stance and to clean it up in their

sport, in their particular State as regards to the sport. I do not think it needs to be mandated by the Federal Government. And again, that is a personal opinion.

Senator MCCAIN. I understand that personal opinion, and I respect it. I do not know how you can have fighters with the records that I stated—and by the way, those fighters were not fighting in Nevada.

Ms. JARMAN. They would never fight in Nevada.

Senator MCCAIN. That is right. But there are 49 other States and they are fighting in those States. Frankly, for you to say that the Federal Government should not intervene just because things are fine in Nevada when abuses like we have discussed are going on is to offer no solutions. People are walking the streets of the major cities of America not knowing where they are because of the physical beatings that they have taken, or because they were mismatched or unprepared or did not have physical exams. We will have other witnesses here today who will testify to that, and again—and I am sorry, Mr. Chairman, for the length of this—these boxers often come from the lowest economic level of our society. It is their only chance up and their only way out, and I think we have got to give them every opportunity not to be exploited because in many ways they are easily exploitable, and they are being exploited today. Not in Nevada, perhaps, but in many other States.

Children are protected by the Federal Government, at least we try to protect them. Older Americans we try to protect because they are the least able to help themselves. And I believe that a boxer who has been knocked out 91 times somehow needs my protection and that of the American people. But I respect your views and I certainly will take those into serious consideration since you are of the most credible of witnesses before this subcommittee. And I thank you very much.

I thank you, Mr. Chairman.

Senator BRYAN. Thank you very much, Senator McCain. Let me express my appreciation to each of the witnesses. Your testimony has been helpful. I think it has been focused, and we will make that all a part of the record and act accordingly.

Thank you very much for coming, for sharing and being with us.

Let us take a 5-minute break before we have our next panel, and then we will get going.

[A brief recess was taken.]

Senator BRYAN. We stay convened, and we are ready to welcome our second panel, who is being gathered from afar. Dr. Al Capanna, who is a neurosurgeon, practicing here in Las Vegas; Dr. Flip Homansky, who is an emergency room physician also practicing here locally; we would like to invite those gentlemen to join us at the table; and Mr. Jerome Coffee. Mr. Jerome Coffee is a professional fighter, and he is what this hearing really is all about. I think I saw him just a moment ago.

Jim, if you could help us—great.

Mr. Coffee, please join us now.

Mr. Coffee, we have got a place right here at the table for you, sir. Nice to have you with us this morning.

Dr. Homansky is not here yet. He is flying in. OK. Well, in the interest of time, we will begin.

Mr. Coffee, why do we not hear from you. Let me just say, on behalf of this subcommittee, we very much appreciate your testimony here today, your being here. Obviously, you see it from a different perspective and probably the most important perspective, and that is from the fighter's perspective. So, if you have a prepared statement we will make it a part of the record. If you do not, feel free to read from what you have. Or if you just want to speak off the top of your head, we are going to keep this real informal. So, I want you to be relaxed and you just share with us what your thoughts are.

Senator McCAIN. Mr. Chairman, could I mention——

Senator BRYAN. You certainly may.

Senator McCAIN [continuing]. That I have had the pleasure of observing Mr. Coffee in the ring on many occasions, and he is a man of not only great skill but great courage, and it is a pleasure for me to—obviously, a special pleasure for me to hear from Mr. Coffee who, as you mentioned, brings a kind of perspective that is so important to us. Thank you, Mr. Chairman. Thank you.

STATEMENT OF JEROME COFFEE, LAS VEGAS, NV

Mr. COFFEE. Senator Bryan, Senator McCain, I am very honored to be here today. I would like to first of all say that my true beliefs are, as a fighter born and raised in Nashville, TN, where our Vice President is from, I believe in the last 3 years that I have lived in Las Vegas I have had the privilege of being a part of a commission that is second to none. I believe that any State in the United States that is allowed to put on a boxing match should have a boxing commission. Otherwise, they should not even be allowed to put on a boxing match because nobody looks after the fighters like a commission does.

Safety is something that no one can be complete about. You can only have doctors look at the fighters prior to the fight and make sure that they are OK and that they are in physical condition and are prepared. I believe that commissions do all that they can do, like the Nevada State Athletic Commission. They do all that they can do to make sure of those things. And that is very important.

They also make sure that there are no mismatches as best they can by making sure that the weights are correct and that the talent level is not so one-sided to where one fighter is drawn out of the box. They attempt to make sure that there is no State jumping where a guy gets knocked out tonight and then goes over to the next State tomorrow night and fight. They do the best that they can. I am not so sure that it is a solid thing that they do, but Nevada is attempting to make sure that a guy is not State-jumping and coming over here and fighting after being knocked out the night before.

They make sure a guy is not a part of the drug situation. You cannot come into the State of Nevada and expect to do a boxing showing and be doing drugs because they are going to test you and you know it coming in, and so you do not come and fight here. I believe every State should be that way.

I fought just a year and a half ago, 1991, in Florida, and I hate that the commissioner took off. Two years ago, I fought for the USBA title there, and the gentleman who paid the promoter—I

mean that paid the fighters and the referees and judges and everybody, also he must have been the promoter, but the bad part about it is when I looked across the ring he was also working the corner of the guy I was fighting for the USBA title. [Laughter.]

I mean, give me a break. Where are the royalties going to go in a case like that? And I think those things are very important. No promoter should be allowed to wear more than one hat at a time.

I also think that California is onto something. I think they are onto something with this pension plan. I think that is in the welfare of the fighter. Maybe they need to revise. Maybe there are some things that could be hammered out with it. But I think that should be mandatory for every commission. A pension plan is something that boxing has needed for a lot of years.

I believe that the TKO and KO 30- to 45-day period is a wonderful one. I think that is very necessary even though, again, guys State jump. But I believe there should be a mandatory check before they are allowed to fight again.

I also believe that no one should expect a fighter to have a Ph.D. as far as testing fighters are concerned, because it is expected for most fighters who come up through the ranks, they come from nothing and they rise as best they can to be champion of the world, and some of us fall short in effort. You take a lot of punishment in the process.

You take me, for instance. I have been fighting for 23 years, and that is not including the fights I have had in the gym. And certainly, some fighters need to be watched after more than others. I just fought in Florida, to embold what happened in 1991, I just fought there in 1993, and things had gotten a lot better. Because I fought a fighter who was up and coming and probably will be champion of the world this year, a fighter that Mr. Eddy Futch trains. This young man, I knew going into this fight, I have been boxing 23 years and he is 23 years old, and so I knew I had my hands full. And I told Mr. Futch prior to the fight that I had a limousine for him and his second for the night of the fighter about fight time so he could be doing something else and I would not have to deal with him as well as this young warrior. But he graciously declined the offer and they came out and they turned the heat up on me from the first round.

In the fifth round I looked in my corner's eyes and he looked in mine. He said "Jerome, that is enough of this," and I got up and started toward the center of the ring. He said "Hey, no more, no more." I said "Hey, I am just going over to congratulate the kid." I mean, he fought wonderful fight. And for a lot of fighters who fight with tremendous heart, they get hurt because they will not be sensible about what is going on in there. And I think it is important that——

Senator MCCAIN. Nor will their corner men be sensible.

Mr. COFFEE. That is a mouthful. And you having said that, I believe trainers should be taken through some sort of test about their knowledge of the game and what abilities they bring into it, because we have got some trainers out there that do not know anything and will put a guy in training 2 days and put him into a four rounder or a six rounder and they guy gets killed. But it is like peddling flesh. And we are human beings and I think that trainers

and promoters and people who really do not care about anything but getting paid, they are not concerned about those kind of things, and I think they should be.

I also think that if a State is allowed to make revenue off of boxing and they are not a commission State, there should be something that says that there will be a commission that will go into that State and oversee that fight to make sure that whatever ethical or fair look at what is happening there is done, will be done, because it does not happen in a lot of the States. And the promoters know they cannot come into Vegas and New York and New Jersey and places like that and get away with a lot of the stuff that they can go to other places and get away with. So, they are starting to bypass us, and I think it is important that we all work together.

You like to think that we would not have to have Federal people to police what we are doing here, but if no one can seem to make any sense out of it we have got to do something to solve it. And Nevada has already started that by putting their foot down and making rules and deciding what will and will not be. And I think that is very important for boxing.

Senator BRYAN. Mr. Coffee, we appreciate it. Your comments are not only articulately expressed, but very sensible, and it offers a lot of insight. We appreciate your testimony. We are going to have some questions in a moment. We are going to give Dr. Capanna an opportunity to testify, and then we will have some more informal exchange here as we try to find out a little bit more from you in terms of how we can best protect fighters. Doctor, nice to have you with us this morning.

STATEMENT OF DR. ALBERT CAPANNA, NEUROSURGEON, LAS VEGAS, NV

Dr. CAPANNA. Thank you, sir. It is nice to be here.

My letter is addressed to Senator Hollings. I am sorry, sir.

Senator BRYAN. No, he is the chairman. That is the correct protocol. You are OK.

Dr. CAPANNA. All right, sir. At any rate, I am a ring physician with the State of Nevada, as you know, and I am also a neurological surgeon, and I am here because I care about this sport.

I praise what you are doing. I think it is commendable. I also agree with something Senator Bryan said. I think the 9th and 10th amendments of the Constitution are important. The Federal Government should not overregulate States.

We have been hearing the praises of Nevada, and certainly, I work with other commissions, I think it is the best. I am biased, but I really, sincerely do. I think there is becoming more exchange between the commissions. We have done several fights in other States, as you know, and send people there.

One of the problems, I believe, is often there are sent in referees that are professional and very good at it, and they will send in judges, but they do not send in ring physicians. And in many of the States, and obviously, I follow boxing and watch them on TV, and it is quite apparent when they call for the ring physician he is not aware of what is really going on or what he should be doing, et cetera. And for many years, it was similar here a long time.

I would have a friend who is a doctor. I would say come to the fight, and he had never even seen a fight in his life. And we made a concerted effort with our ring physician's license here in this State. It is reevaluated every year. We are supposed to keep up on cardiopulmonary resuscitation, et cetera, to be ready to handle the fighters. And we try to get ringside physicians who are directly involved with trauma, either as neurosurgeons or ER physicians or general surgeons who handle trauma rather than just general physicians, because fighting is obviously a semicontrolled trauma.

I will give you an example. We have done several fights with Virgil Hill up in Bismarck, ND. And the last one in January I gave the ticket back. I do not want to go up there. But I was up there in June for a fight a couple of years ago, and we arrived there and I talked with the local physician there and was very interested in trying to get their commission going, et cetera. I think it is very important, and it is very important the Federal Government is involved to a degree because, with the proliferation of gaming, there is certainly going to be a proliferation of prizefighting which the gentleman from Missouri said when he was sitting here just in a couple of years. And to protect these people they may need some regulations that are not stringent, but uniform.

At any rate, when we arrived there I asked—this physician was very eager. We spend a day and a half, 42 hours, whatever, together. We checked the boxers, et cetera, the night before the fight, and he was trying to really learn everything he could. And we spent the time together. And I ask him if there were neurological surgeons in the community. There were two, both of them were out of town. So, basically, they were not too concerned about having a major fight there in an arena they filled. I do not know where the people came from, but they actually filled this place. They were very nice people. They must have come from every farm in the whole State. But it was very good, and we did our usual job.

They had one fighter that I cannot remember his name—Indian something, a heavyweight—who apparently always comes down for these fights, or often, from Minnesota, and he is a local favorite. And we checked the night before, and he was hypertensive. And so basically, I said if you are still hypertensive you are not going to be able to fight. It can bleed, you are into cranial bleeding, you bleed too much from a cut, et cetera.

That was not too popular, shall we say. And the next day, we checked him in the morning, and the fight was that night, and go out 4 hours before the fight and had him lay down in the back to relax, et cetera. Finally, just before the fight, I did not let him fight. And when they announced that, the whole place was boo and this is terrible and all this, and he was basically going to beat up some person and they were all going to yeah and scream because he was their local favorite. I think there is some of that, as you have pointed out.

I think there will be pressures on people, and if they are not "professionally trained" and just do what is correct in our case medically or as a referee or whatever their position is, then you will have problems. You will have bending of the rules. And it really went fine there. But that is just an example of how sometimes there are pressures brought on you.

With reference to our commission, we fax things to anybody who asks for them all the time. We definitely suspend at the time they're knocked out for how long. It can be 45, 30, or 30, 21 days, and all of that. We work very closely with the referees. We talk to them all the time and check the patients—the fighters—and if we have a bad fighter, many times, going to Chuck Minker before, Marc Ratner now, and say this guy is an absolutely terrible fighter. He is going to get hurt. Which is what you were alluding to. And I have been with them several times and have gone back and talked to the fighter and his promoter and tell them you should get another job. You are not a good fighter. You are going to get hurt. And they do not like that. And you are not coming back and ever have a fight. And they do not.

Now, a lot of places, they do simply not do that. They bring in a card and all of their guys, and they just bring their card and that is the way it is. But it is certainly not in the best interests of the person to get hurt if he does not even know how to defend himself properly. So, I think that is an important consideration.

The other consideration you have not mentioned here that Senator Roth and that noise we heard earlier this past year, there are sanctioning bodies. So, if you are going to have Federal regulations like the three-knockdown rule, we have that in Nevada, sometimes they come in and both promoters agree to do away with that rule and we will allow that. But you are not going to be able to have rules that the States are functioning under as minimal Federal rules or whatever they are going to call them, and then have sanctioning bodies internationally come in and say we do not care. That is not how we sanction our fights and all the rest of it. And to a degree, it is economic, and you have to make it so it is reasonable and that they can promote fights and have them on, but not have it a total conflict.

I think the working between the referees and the physicians in our State is very good. We always have rundowns after the fights. We have a medical advisory board to our commission which I sit on, and Dr. Homansky when he gets here, is the chairman of it, and we meet and go over various issues. We just recently had a meeting about female boxers and rules for them, et cetera. So, we are constantly upgrading that.

We try to tell any other commission if there is a problem with a fighter. We stopped one fighter here that I saw and advised him because of some of his problems medically, he could not fight, and talked to him and told him what to get, treatment, medically, et cetera. And he accepted that, and his manager did. We have never seen him again, but he went back to his home country and came back with another license, and he fought three times in California before they figured out it was the same guy we told him he should not fight, and they stopped him there. So, there is a problem, as you know, with fighting here today, and tomorrow up there fighting the next day.

It is not just unique to boxing, however. I recently just took here one of the rodeo riders to international finals. He was knocked out on a bull up in Canada a few weeks before. He blatantly admitted he was totally dizzy all the time he walks around. He got on the bull to try and win the national championship. So, it is not just in

boxing. You cannot control people internationally and everything all the time.

With reference to the allusions of the inappropriateness of fixing fights and stuff, in all the years I have done this, and I have followed boxing since I was a young boy in New York, and I have been here 11, almost 12 years, I have never seen anybody try to pressure anybody in any capacity for anything in our commission, I can tell you that, period, whether it is physician, referee, or otherwise.

I think there is also a place in here, if I might mention it, the various commissions and flow of information, that we can do some research and can make this a better sport. I disagree with Mr. Bernstein who was sitting here, and I like him. I think he is a good commentator and is very knowledgeable. In a professional sport there is a difference between the amateurs other than counting punches like you are trying to land jets, in my opinion. They tried it in Barcelona and it did not work very well in the amateur level. There are some efforts, though, little sensors in their mouth to count how hard they are hit and all that right now, if you did not know that. You can actually measure the impact from the blow, so you may have a computer be the judge in the future. I hope Pat is gone. She will shoot me in the back.

Any rate, one example is the California neurological examination. We became interested in this when we saw several fighters who had not been licensed there who were licensed in several States, including our own. Indeed, some of these were world champions, and I have tested many of these patients—or fighters—and I have tested many of them in a neurological test as well, asking them to let me do it to them. We actually got the test from California, and they were very nice giving it to us, and studied it for 2 years, and I gave you a copy of our results which are almost finalized to publish now. We finished the studying of the different fighters and the aspects of the test, and I applaud them. I think it is an excellent effort to try and predict if you are going to have brain injury.

We then took people from an area which had similar educational backgrounds. As Mr. Coffee said, you do not expect them to be a rocket scientist in the ring. But this is an excellent sport to give some of these people a chance to get off the streets and to do something that they feel they are accomplishing something and to gain some respect for themselves. And I do not think we should regulate it so it is not.

We took people who are not fighters and we tested them, who are in there, and we paid them to take the test. It takes 4 hours. And we had two groups come in for a whole day in my office, which was trashed, but they had a good time. And our conclusion was after that that it was not a valid test. The only exception would be if you gave it and repeated it and saw a definite decrease. So, we did not adopt it. We presented it to the medical panel here and presented it to our commission and they did not accept it. I am sure if we had found the other way we would be using it now, too.

So, I think there is interaction that can be there to make it better, make it a better sport and a safer sport. It is actually like, I

think it is 28 or 29 on the A&A list of sports for injuries and deaths, so it is not as bad as some people think it is.

The only other thing I would like to say is if you do pass anything in the Federal level, I would hope, and I know Senator Bryan has worked well with our boxing industry, having been our Governor, and worked with people who are in the fight industry. You should not regulate it so much that young people cannot afford to get the licenses or whatever they need on the tests, and the promoters cannot exclude people from it, because many of these people cannot afford all that. And I think it should be a reasonable thing to protect them, not to restrict them.

Senator BRYAN. Thank you.

We have a special treat today, and we are delighted. Dr. Homansky apparently has had some difficulty with his plane connections, but we have a legend in his own right, one of the great trainers in the history of the sport. Mr. Futch, we are delighted to have you here, and invite you to share your comments with us.

STATEMENT OF EDDY FUTCH

Mr. FUTCH. Thank you, Senator Bryan. I explained that when I received the invitation to come to this hearing I was on the way to the airport to work a fight in Omaha. And so that is why I did not have the time to prepare a statement. I did send one to Senator Hollings from Omaha. But I fully appreciate having this opportunity, Senator Bryan and Senator McCain, because I have definite thoughts on the safety of boxers. That always has been my focus.

I have stopped some of the biggest fights that were ever held because I did not feel my fighter was able to continue, even though he wanted to go on, and there were thousands of people who thought maybe he should have continued. But I did not think so. I knew him better than anyone else did.

I stopped Joe Frazier in the 14th round in Manila against Mohammed Ali because he was no longer able to see the target plainly. One eye was closed. I had to alter the strategy that we were using. I had Joe staying low and punching to the body, staying in close and low and using short hooks. When the left eye began to close around the 11th round, I saw that he could not see the target very clearly out of that one eye. It meant being low and in close.

So, I made him move back a little further, maybe 8, 10 inches, and stand up a little straighter, which put him right in the range of Mohammed Ali's best shots, I found later. So, I gave him the 12th round, and I thought perhaps Ali would slow up because of the intense pace that the fighter had carried from the beginning. But Ali, being the opportunist that he was, he just used every ounce of energy he had to take advantage of that situation. And Joe was right at his range.

In the 13th round, he threw so many punches, one of which knocked Joe's mouthpiece 6 rows back into the ringside. I was on the verge, then, of stopping the fight. But I said he has thrown so many punches, he must be tired, so I am going to let Joe go out for the 14th round and see what happens.

In the 14th round, Ali kept that same pace. And so midway through the 14th round I decided that that was the last round for Joe. And when he did come back to the corner, and he sat down,

I told him Joe, the fight is over. And he jumped up. I tapped him on the shoulder and said sit down. It is over. I went to the referee and told him I was not going to let him come out for the 15th round. Because I felt, definitely, that he could suffer some serious damage if I let him go out again in that condition.

There have been other fights that I have had to stop because I thought my fighter was at a disadvantage. I had Benjamin Lewis boxing Indian Red Lopez at the Coliseum in Los Angeles, and it was a great fight. It was for the championship, welterweight championship of the world, and it was—I thought had gone into the 14th round of that fight with an edge. I said I think we have the fight safely tucked away. Now, I do not want you to go out there and get into any wild exchanges with Lopez in the 15th round. I think we have got it now. I want you boxing. Stay away. Do not get hurt. And I think we will wind up with the title.

Benjamin thought otherwise. So, he went out and he engaged with a slugfest with Lopez. And he was doing all right for 2 minutes. The last minute, he got caught with a good punch. He stepped back and laid against the ropes with this little smile on his face trying to con Lopez out of the fact that he was hurt. And his hands were down and he was slipping punches and rolling the punches, and some were getting in and some were not. But I looked up at the clock. It had 30 seconds to go. And his hands, I knew he could not get them up. And Lopez realized this, too. So, he kept pouring it on.

So, I stepped. They were right in my corner. I stepped in and put my hand between the two fighters deliberately, which signified that we were retiring Benjamin. That was a bitter thing, 30 seconds to go. But I could not risk that 30 seconds. He might get hurt seriously.

So, safety has always been my focus. And even down to the gymnasiums. That point came up during the discussions here today about fighters being overmatched in the gymnasiums. And sometimes they take unnecessary beatings because people that are handling them do not know or do not care. So, I think that we should be stricter in supervision in cases like that.

I think a commission inspector should make a circuit of the gyms once in a while, not on schedule, but just pop in and see what is going on in the gyms and see if there are any irregularities that could be corrected at times like this.

I was involved in a fight 2 nights ago, and Wayne McCullough—we call him the "Pocket Rocket," 118 pounds dynamite. He was boxing Javier Medina from Puerto Rico, a very good looking prospect. And both these fighters were evenly matched. Both had 10 fights, and both were undefeated. Medina had gotten a draw in one fight. And it was a good fight up until about the fourth round. Then my fighter, McCullough, started to edge ahead and maintain a steady attack that was making Medina wither away.

In the fifth and sixth rounds, he took such a terrific pounding that had he been my fighter I would not have let him come out for the seventh round. But his corner let him come out and the referee let him take that beating. The referee should have known better. He had been in boxing a long time. In fact, that referee was Ron Standards, whom I had taken Joe Frazier to in Omaha to beat 21

years before. And he was well versed in what should be and what should not be in boxing. But I think that he was a little too heavy. He weighs close to 300 pounds now, and he could not move around fast enough to take the kind of charge of the fight that he should have, and he let this fighter take a beating I thought that was entirely unnecessary.

The fighter finally collapsed a couple of times, and the referee was letting him take a beating in the last minute of the seventh round, and he walked over casually and pulled my fighter away, and when he should not have even been allowed to enter that seventh round at all. So, those are the kind of things that I have always been wary of.

I like to teach the art of boxing. I like to teach the fighters how to take care of themselves. But there are many times that that is out of their hands, it is in the hands of either the referee or the corner that is supposed to be protecting them.

So, that is the thought I wanted to bring to the hearing, because I have always practiced this, even Beanie Crisp when he was my fighter.

Senator BRYAN. A classmate of mine, as you know.

Mr. FUTCH. I know.

Senator BRYAN. Yes. Thank you very much for your testimony, Mr. Futch. We are going to get into some questions in a minute.

Dr. Capanna, let me begin with you. Senator McCain and I probably listened to dozens and dozens of hearings on Capitol Hill each year. The one thing that has struck me about the hearing today is that there is not a wide divergence of opinion in terms of some of the things that need to be done, whether we are talking about Mr. Coffee as a fighter, Mr. Futch as a trainer, yourself as a physician, Patricia Jarman as a judge, Mills Lane as a referee, the athletic commissions that are represented here through Mr. Hazelton and Mr. Hall. There seems to be, if not unanimity at each and every point, by and large a general agreement in terms of standards, medical exams, the kind of thing that you were talking about, the need for training. Mr. Futch, I do not know if you were here when Mills Lane was talking, but he made the point that you made in terms of the guy in the ring that is the referee needs to be in physical condition, and from your testimony here you indicate that there was a very experienced referee, but perhaps had stayed too long and gotten himself out of condition and was not able to take charge. So, there seems to be common agreement as to some of the things that we must do.

I guess my question to you in a broader sense is how do we achieve that? Is Federal regulation the only way? Is there something that we can do at the State level to be more effective, recognizing that Nevada, by all testimony here, has done a wonderful job? And I would note, and I omitted him earlier, but that Marc Ratner is here, the worthy successor of Chuck Minker. Marc Ratner is a long-time friend of mine, and we have done a good job here in Nevada. So, it is certainly not my intention to be critical of what you all have done.

But States that do not have commissions, States that underfund them. States that for whatever reason do not give the kind of attention. In light of this, how do we achieve these health and safety

standards that everyone agrees are important for the protection of the fighter? And I know that may be a little bit outside of your range in terms of your neurological expertise, but you are a thoughtful man, obviously love the sport or you would not be doing what you are doing.

Dr. CAPANNA. Well, as you can imagine, as a neurosurgeon, every national and international meet I go to I get criticized for doing this, but I have never thought turning your back on something is going to help it. And I think people understand it can make it better rather than just saying it is whatever.

As far as making it more uniform and safer for the boxers, there is no question nowadays people fly all over, just like Mr. Futch just came in here. They are fighting all over and they are going to continue doing that. I think it is going to become more and more prolific, as we have already alluded to.

Obviously, legislatively, you do it on a State level, which means getting through all the different State houses. We have a very large set of Nevada revised statutes on boxing and the commission, as you know. Even at our medical advisory boards, we have the attorney general's—one of his legal counsels there to tell us, when we think we should do something, how we do it properly.

Now, that takes time, money, and effort on everybody's part. And also, people are doing it voluntarily. You know, we are here, we go to those meetings, and we want to do it best. Obviously, you are going to get a wide divergence around the country in how much effort wants to be put into it, if any. I am afraid that a lot of places where they have, for example, Indian gaming or rural gaming or whatever, it is merely a matter of somebody wants to put on a show, so we bring them in and they put on a show. But it is more than that. It is potentially dangerous, as he just pointed out, to the fighters, especially if you have promoters who just want to put on a show and make a quick buck, et cetera.

There may be some minimal Federal guidelines that would be reasonable to follow if they are setting up a commission in a new State that is not doing it and what they should have. And the bottom line is if nobody is leading then you end up with these hearings and then it goes to the Federal level, unfortunately. So, obviously, enough people think it is not being handled properly or we would not be talking about it right now.

The only caution I had earlier, I think you should do what is best for the sport and the people in it and not overregulate it. The Federal Government often overregulates, as you gentlemen know, and they destroy small businesses. And some of these people have been quite blanked. Small businesses, many of these people are making their living. All the professionals are, obviously. So, if you are going to regulate it, you should be thoughtful like you are and get opinions on it.

And I think there is definitely a thread that ran through, when I sat here before, that there is general agreement, I think even between sports commentators, the fighters, the managers, the referees, the doctors, of what can be done. And I think it is a matter of pulling it together and getting it done and saying this is what should be done. And in this country, we can do anything, in my opinion, still, in spite of the nay sayers. I really think we can.

Senator BRYAN. What about the ID problem, the use of the alias, fighters fighting in different States under different names? And even the most diligent commission, I gather, has difficulty in making sure that indeed everybody is the person that he represents himself to be, or the use of a different alias to conceal the fact that he fought in another State under circumstances which might warrant a refusal to issue approval to fight? What is the solution there.

Dr. CAPANNA. Well, we see fighters that come in—one of the States that stands out in my mind is Oklahoma, and they will have a heavyweight come in and he will have a 20-and-0 record and they knock him out and he is like a fighter from amateurs, and we usually invite him not to come back. So, obviously, there is a wide discrepancy in who they are fighting, as far as their other opponents were, where they are fighting.

But as far as getting uniform, smaller places are going to have a hard time. We have a lot of fights, obviously, and other places are doing many more now. But we rotate our physicians, we rotate our referees, so everybody gets experience. And I think we know most of the fighters. When somebody is new we ask about them, if you have ever seen them, and that kind of thing. But if you just came into a small area and they had a new list of fighters come in, many of the people would not know who they are and would not have a clue to check on it.

I certainly agree that, whoever said that up here earlier, some type of a central register would be reasonable. Rather than to get your license from this State, get your license from that State and it is all over. In medicine, that is a question now. Why do you license all over the place. So, it is not just in certain areas. But it may be better if they had one central area license with the birth date and all the rest, thumb prints or whatever they were talking about. So, you would have some kind of central area to find out what is going on with the people.

Senator BRYAN. Another issue that you raised indirectly, I think, was the sanctioning bodies and the role that they play in terms of regulations and what is required in order to be the title holder in the sanctioning bodies. Share with us, those of us that do not have as much background as Senator McCain does in the sport, how does that interplay in terms of imposing requirements upon commissions if that particular fight is to be a sanctioned fight and if there are any conflicts with any State requirements. Is that a problem?

Dr. CAPANNA. I do not think it is a major problem. There are several—the alphabet soup—sanctioning bodies, as you know.

Senator BRYAN. Yes, I do know that.

Dr. CAPANNA. And I think some of them are very good. They are very concerned about their ratings, how they rank fighters, and they really know what they are doing. And some of them are not so good and sometimes you question how is this guy No. 2 in the world and that kind of thing. Seldom do they put tremendous pressure on to change things, like the three-knockdown rule.

Senator BRYAN. That was the one that you mentioned.

Dr. CAPANNA. And that is sometimes by mutual agreement. They do not want to trust that a knockdown is really a knockdown and that kind of thing.

They certainly have hearings in this State before. Mr. Ratner is there, and Minker before him, to meet with the trainers and the managers and the promoters and everything, and to go over what the rules will be. And there is no argument by the time it is fight time on how it is going to be, even if there is somebody that wants some changes that were not originally set up for the fight and the promotion. And the same way with the referees. They go and talk to all the fighters before and tell them what they are going to do in the ring and why and all this kind of thing.

But there is no question that a sanctioning body has the authority to take away a title, to take the belt away from somebody. Obviously, for that fighter it is a tremendous economic thing, so they have some power, leverage, and it is economic. They cannot bring a fight somewhere. Obviously, a State like ours which enjoys tourism, et cetera, putting on a fight brings people here. It is good for the economy. It is the same in, I am sure, Missouri. They bring people in, it makes money for their State, they stay in the hotels, they eat, they do everything, like any kind of an attraction.

So, there is always that factor there, without any question. That is why I brought it up, because I think if you are going to pass things you have to realize you are dealing with international bodies, too, and not just U.S. laws and you do not want to, on the other hand, chase them out of America. I think it is a great place to fight as a fighter. You are probably safer here than anywhere else as far as not getting hurt. And what he said, "The objective is to know when to stop the fights and stuff and you will not hurt them."

Most of the boxers that have brain injury, you take a tremendous number of punches in a very short period, like a 10-second period, where it should have been stopped, and their head is just boiling all around. And if they stop them they are usually not hurt significantly. So, it is very important.

Senator BRYAN. Mr. Coffee, from your perspective, you have been in the ring for a good many years, how widespread is it that fighters trying to avoid a commission's oversight. Let us talk about a commission that is trying to do the right thing—to check a fighter's history out, make sure that he was not knocked down in the two previous fights and therefore he might be at risk if he was approved to fight again? How widespread is the problem, in your opinion, in terms of the use of aliases that avoid identity?

Mr. COFFEE. Well, I think that, again, in Nevada and New York and New Jersey and California, it has gotten a lot better. But all of the other States that are not handling a commission that watch what is going on, it is pretty widespread. Because a fighter can fight in Tennessee and then be knocked out and then go to Georgia and fight.

I fought back a decade ago in Georgia, and the guy who promoted the fight also fought on the card, then took off with the money. Nobody got paid. [Laughter.]

And it happened again in Alabama. People use all kinds of names and they go over to Canada and down to Mexico, and it is very hard to keep up with guys. But I think Nevada and States like Nevada are on the right track in trying to keep an eye on these guys. I think it is somewhat impossible, if you do not have something solid like an ID card or something and you have got to have

it, just like coming into this State with a passport. You have got to have it. Whenever I leave the country I know I have got to have my passport, so I do not even think twice about it. And if we had something like that in boxing it would probably cut down on that problem.

Senator BRYAN. Mr. Futch, a last question to you before yielding to Senator McCain. We talk about the need of training and making sure that we have got qualified people that are moving up to the ranks of judges and referees and people like yourself and inspectors. And if we try to establish those requirements, running through my mind, if this is all done at the Federal level then, my God, we have got a proliferation of regulation and just dozens and dozens, maybe hundreds of people running all over the country enforcing these regulations and the moneys that are required to fund that.

The good doctor's comment that you can price the folks that are essentially small business or entry-level fighters, people who come, as Senator McCain points out, from socioeconomic levels that make them very vulnerable, they do not have the kind of capital to handle some of these things up front, because they can be very expensive. But how are we sure that we want to do the right thing? Everybody is pretty clear as to what we ought to be doing and to be qualified. How do we make sure that that happens?

Mr. FUTCH. I think the best chance of that happening is through something that the commissioner from Florida suggested, an association of boxing commissions with uniformity of rules and regulations, and work from that standpoint to broaden that scope by bringing in as many of the States that do not have boxing commissions and as many of the States that have lax practices among their commissions and inspectors.

I think if you could work internally and broaden and better an association like that, it would be the greatest chance of achieving the end that we are seeking without Federal regulation.

Senator BRYAN. Assume that we go that way and that we are making progress, I think it was indicated in the testimony offered earlier by Mr. Hall that we are making some progress in that, but you may get a recalcitrant State or two, few States. Is there anything that can be done under the existing framework?

Let us suppose that we are moving in the direction—yet there are still a few States that choose not to for whatever reason. Is there any ability to control who fights in those States? In other words, obviously, the Nevada Athletic Commission does not have the ability to determine, nor should it, who fights in Mississippi. But yet what kind of leverage or pressure point—I just throw that out to any one of the three of you—might exist if indeed most of the States are doing the right thing, and yet we have got some States that, for whatever reason, do not?

And then there is that attraction well, let us hold that fight in the State where there is the absence of regulation where some of these games that you have talked about can occur. Is there is any ability that the States who are doing the responsible thing and the Association of Boxing Commissioners that Mr. Hall represents can do? Is there any pressure point, leverage that can be used to in ef-

fect put pressure on not to have the fight in a State that is essentially unregulated?

Mr. FUTCH. I think that pressure being put on managers who are in control of fighters that would possible fight in those States, if they could be ostracized or penalized in some way then it would make it unprofitable for them to go into States where there were no boxing commissions or where there was no adequate regulation. It would have to be somebody who could make it tough for the promoters in those States.

Senator BRYAN. That is a very thoughtful analysis. I am just thinking back, wearing my hat when I was at the State level. The Nevada Gaming Commission has a similar approach. In other words, historically, if you get licensed in Nevada you do not get a chance to get involved, or at least historically you did not, if a State did not have comparable regulation to what you had in our State. So that, in other words, your license in Nevada is at risk because the State Gaming Commission does have the ability to control the license in Nevada. And if you are going to go someplace else where there is the absence of regulation, there are some sanctions that can be imposed upon your local license. And you are suggesting that it may be the local—the State, I am using the word “local” where I should use the word “State”—license could be at risk if those who take fights to jurisdictions do not have comparable safeguards. That is an interesting concept.

I appreciate your comment, Mr. Futch, Doctor, Mr. Coffee.

Let me yield to my friend and colleague.

Senator MCCAIN. Thank you, Mr. Chairman.

Dr. CAPANNA, have you ever been overruled in your recommendation to stop a fight?

Dr. CAPANNA. No, sir.

Senator MCCAIN. Have you known of anyone who has?

Dr. CAPANNA. You mean as a physician?

Senator MCCAIN. Yes.

Dr. CAPANNA. No, I do not.

Senator MCCAIN. And you do travel to other States sometimes to help out, like a State like North Dakota or others?

Dr. CAPANNA. Yes.

Senator MCCAIN. How often do you do that?

Dr. CAPANNA. Not very frequently. And we rotate that, too. Just when requested to by that State. And then our commission handles it entirely.

Senator MCCAIN. I see. That is something maybe they should do more of, although I am sure you may not enjoy it.

Dr. CAPANNA. Not invited to come. I think there is really no problem. I know some States have wanted the doctors of authority to stop the fight, et cetera, and many of them do have that authority. I think we work so closely there is no problem. If we talk to them between rounds and say “Watch this kid, he is going to get hurt, you can count on it.” The referee will watch it and stop it and maybe look at you or something. And it is a matter of having enough interest as you are watching the fight.

Our commissioner is always complaining we are scoring the fights and want to be the referees and the other guys want to be the doctors and all this. We work pretty closely, and I think that

is important. We do enough fights that we know each other, and I think they respect us and we respect them. I do not think there is any problem that we have with that.

Senator MCCAIN. Mr. Futch, I want to tell you it is an honor to have you here. I think you represent all that is good and decent and honorable about the sport of boxing. And for the record, you might mention how many years you have been involved in the sport of boxing.

Mr. FUTCH. Well, I have been involved in boxing for 60 years as a fighter, trainer, manager, and I even promoted a time or two.

Another comment I wanted to make about the Nevada Commission: I was the person who very carefully built the career of Virgil Hill. And knowing he came from North Dakota, I put him in five different cities in North Dakota until I found one where he could really do well, which was Bismarck. But some of the other cities, I found that the regulations, the inspectors in the other cities like Williston and Fargo and certainly smaller towns, I had to be pretty tough. I had to, on one occasion, bring everything up to standard. They had a ring that I would not let Virgil Hill use. So, they had to send to Canada to get another ring. I would not let him fight.

So, when we got to Bismarck, I found the chairman of the State commission. He appreciated my efforts in other places, and so he was extremely cooperative and he was willing to bring in the Nevada Commission inspectors and doctors and all to take care of the fights that were being promoted in Bismarck. And that is more or less standard procedure now.

I have worked under commissions in Michigan, Illinois, New York, New Jersey, Pennsylvania, Florida, Missouri, California, and I have not found one that is better operated than the commission in Nevada. I am very proud of it. And I just wish that the system that they use could be followed by some of the other commissions. All they have to do is better their techniques to match the methods that the Nevada Commission has been using, and things would work out much better.

Back in 1940 we had a very good program going in Michigan, and we had a good commission. But the commissioner that was doing such a good job had to retire for health reasons. And upon his retirement, a lot of his records were removed, and I was called by one of the commissioners to come in and to set up a set of rules for licensing boxers. And so I made up a set of 20 rules for licensing boxers, 20 requirements, thinking that they would perhaps take 10 of those rules and make them standard. They used the whole 20 rules—the whole 20. And so years later I went through Detroit with Larry Holmes, who was the heavyweight champion of the world, and our PR representative went to the commission to get the applications for licensing. He looked at the application and said this is awful tough. We never had to face a list of questions like this. They said well, Larry's trainer is the one who made them out years ago. [Laughter.]

Take them to him. Let him fill them out.

Senator BRYAN. Senator McCain, could I just interrupt for just a moment—

Senator MCCAIN. Sure.

Senator BRYAN [continuing]. Not to be rude and not to interrupt your question. Dr. Homansky has joined us. If he could come up here, not to interrupt the flow of your question. You may want to ask a question or he may want to respond.

I apologize for interrupting, but he has made a special effort to get up. Why do we not just drag another chair over, Flip, if we can, so that you can be part of it.

Excuse me, Senator.

Senator MCCAIN. Mr. Futch, having seen on television some of those fights that are taking place in North Dakota, I assert with some accuracy that it is probably the biggest thing that has happened to North Dakota, including statehood. But I would not. [Laughter.]

Maybe that would be a bit condescending. But I would like to take advantage of your 60 years of experience just to ask you a question that is not totally relevant to this hearing, but it bothers me.

Ring magazine carries, as you know, the list of champions from years past. In 1949 there were eight categories or eight world champions: Ezzard Charles, Archie Moore, Marcel Cerdan, Jake LaMotta, Ray Robinson, Ike Williams, Willie Pep—names that you and I will always remember. And then I look back about 3 pages in front of that in Ring magazine, and I see the 1994 rankings. Seventeen classes of boxers, at least 3 different world boxing associations, frankly, names that today I never heard of. Certainly, some of them I have, but I must say I never heard of Sun Kil Moon or Katsoya Anazako or several other of these names—Pitchet Sith Bong Prochan. Does this bother you that we have diluted really what is a world champion to this degree?

Mr. FUTCH. It bothers me considerably, because the champions that came along in that list that you read there first, they were the top. They had won their stature in the ring, and fighters of that era, such as Willie Pep, he had 232 fights. Ray Robinson had 201 fights. And these fellows came out of—when their careers were over you could tell, unless you knew them as fighters, that they had never boxed, because that is how expert they were in practicing their craft. And they were real champions.

Today, I have seen fighters of today win championships, world championships, in seven fights, eight fights—Leon Spinks, Davey Moore, and so it is ridiculous. And they really are just—they would have been in the preliminary class back in the days of the champions that you mentioned.

Of course, television was the culprit. Television killed small clubs. Who wanted to go to a small club and watch the fights when you could sit at home with a bottle of beer and watch them on TV. Within a radius of 750 miles of my home city, which was Detroit, at the time there were 145 clubs I could put my boys in. And when television came along those clubs just faded away.

Senator MCCAIN. Thank you. Let me ask you one other question to take advantage of your experience. Right now, there is great concern about the relationship between promoters, managers, and fighters. An example that has been cited to me is Mr. Moorner, who is the No. 1 contender for the heavyweight title, has now, “volun-

tarily stepped aside" twice in order that other fights might take place for the heavyweight championship of the world.

It is alleged that Mr. Moorer would not be stepping aside if it was not for the fact of the relationship between his manager/promoter and other boxers. Can you comment on that whole situation? Not just that example specifically, but that whole situation.

Mr. FUTCH. Well, it is a situation that should not take place, but it does. And it is so deep rooted that it is going to take a lot of effort if it ever is approached—corrected. I do not think, under the present conditions, that it could be corrected because if it is a manager/promoter/fighter—the line between the manager and the promoter has become so dim that it is hardly visible.

Senator MCCAIN. Well, it is obviously out of the purview of this hearing, but it means to me that some fighters therefore do not have the opportunity that they might otherwise have. Do you draw that conclusion?

Mr. FUTCH. Well, that is an obvious conclusion.

Senator MCCAIN. Thank you, sir.

Mr. Coffee, if you had to send a message to the 98 other colleagues of Senator Bryan and I about the health and safety of the fighter and what steps should be taken to address that issue, what would you say?

Mr. COFFEE. I would say—I need a mike, that is what I would say. [Laughter.]

I would say that no State in the United States should be allowed to put on a boxing event without a boxing commission. That is first and foremost, because there was something I did not say earlier, and that is at least they will make sure the fighter gets paid, and that is important to me, believe me. Again, I have not been paid in some instances, and because Nevada being my favorite for a lot of reasons because they do the right thing for the fighters, is probably the most reason.

I think that some years ago I had a promoter to come in here, and after the incident in Florida the promoter wanted me to go back to Florida, after not paying me here, wanted me to go back to Florida and fight this guy. And I knew what I had just come from there and I said "No," and I explained it to the athletic commission here and they made sure that the guy paid me before he left. If he could not give me a fight in 30 days that was on neutral turf then he had to pay me. That was what the contract stipulated and they made sure he lived up to his obligations. And that is what boxing should be about.

The fighters are the ones who the people pay to see, and they should be watched after and protected for the safety, not just the physical safety, but they have got to get paid. And that is what it is all about. We love this game, but we want to make sure that every aspect of it is looked after.

Senator BRYAN. And you did mention, and again, it is a little bit out of the scope of the hearing, but it is the only professional sport in America that I know of, of any size, where there is no pension plan for the participants. And I cannot think, frankly, of a sport that needs it more.

Mr. COFFEE. I agree totally.

Senator MCCAIN. But I guess that is an issue for another day.

Welcome, Doctor, and we are glad to have you with us. And I am finished. We would like to hear from you, perhaps as a closer.

STATEMENT OF DR. FLIP HOMANSKY, LAS VEGAS, NV

Dr. HOMANSKY. Good afternoon. I have been traveling since 3 a.m., so I wish I had been with you all morning.

Senator MCCAIN. Well, thank you for joining us.

Senator BRYAN. We appreciate your sharing with us, and to use a metaphor from another sport, we will let you bat cleanup today.

Dr. HOMANSKY. It is a little difficult since I do not know the issues that have been covered. Just quickly about my experience, I have been working with the Nevada State Athletic Commission since 1980. For the last 5 years, I have been chairman of the Medical Advisory Board to the Nevada State Athletic Commission. I am boarded in internal medicine, boarded in emergency medicine, past president of the Nevada Chapter of the American College of Emergency Physicians. I teach advanced cardiac life support and advanced trauma life support. I am in charge of the EMS and paramedic systems in Clark County, and work closely with them and their transport of fighters.

The reason I do what I do is because I care about the sport and I care about those involved, and I look at my role as doing what I can to minimize the injuries, to minimize the impact of a violent sport, a sport that is inherently violent. My role and Dr. Capanna's role and the other physicians that do this is not to make excuses for the sport but to do what we can to minimize those inherent dangers. And working with the commission here, I think we have been very successful in at least laying a framework where any fight in this State and any fight that we assist in has safety standards that are more than adequate to meet the needs of any emergency that arise at ringside. So, that is one aspect of what we have done, is ringside.

Another aspect is what would happen if an injury occurs. We work closely with the paramedics and the hospitals that we deal with to make sure if the injury occurs that it can be taken care of and dealt with as efficaciously as possible.

What we have also done, and if I am going over old material, I apologize, is we work very, very closely here with our inspectors and with our referees. And I know you asked a question earlier about whether a doctor had been overruled and Dr. Capanna answered very well. There has not been a situation in this State where a physician was overruled by a referee, and it would not really be in that context. The physicians and the referees discuss situations before a fight here, they each know where they are coming from. The referee is the man in charge, and that is how it should be. He is in the ring, he is the closest to the action, he is the man in charge.

The physician at ringside is a consultant to that man in charge. And I am very comfortable with the way that is set up, and it works extremely well. It works well in terms of between rounds when the physician can do what he needs to do. And it works well during the round if an injury occurs where the referee wants input. The physician is always there. We have a physician in two corners

so we are always close enough to the action that that is not a problem. So, I am comfortable with the way that is done.

I am comfortable the way we work with our inspectors here. Did you all go over inspectors at all?

Senator BRYAN. We did, but maybe just to interject a question here on the context of the suggestion that the rule in Nevada is different from the rules being proposed elsewhere that, as I understand it, would give the ring physician, the attending physician, the power to stop a fight. Mills Lane informed us that that is not the rule here in Nevada. But there has been at least some discussion in other commissions by the Association of Boxing Commissioners that there ought to be such a rule. Do you want to respond a little bit more specifically to that? Not just in the Nevada context, but your experience.

Dr. HOMANSKY. I personally think that a referee in boxing is the toughest position in all of sports—the very toughest. This is the man who actually is making split second decisions not just on a who is going to win and who is going to lose and who is going to make more money and who goes on to the title. He is making split decisions on people's health, people's long-term health. He is in charge. And the system that I favor is where there is interchange between the physician and the referee such that there is no problem.

There would never be a situation where one has to overrule the other, because it is a consultation matter. And we have seminars, actually scheduled seminars where education of the referee goes on, where we show films, we go over slides, where we tell them what to look for, so that they are attuned to the same things we would be attuned to. Then during the fight we communicate with the referees.

Senator MCCAIN. So, you basically do not see a need.

Dr. HOMANSKY. I do not. I do see that need for the communication between the physician and the referee and the educational aspect on both sides. You cannot have a physician at ringside, just because he is a physician, making decisions that that referee might have more experience than him. That is why it has to be in a consultation.

Senator MCCAIN. Good. We thank you. Where were you?

Dr. HOMANSKY. Naples, FL.

Senator MCCAIN. Well, that is a nice place to visit.

Dr. HOMANSKY. Oh, it is lovely. It is great.

Senator MCCAIN. Well, thank you for coming. We are glad you went so far out of your way to be here with you today.

Senator BRYAN. We appreciate it. I must say that this has gone longer, I guess, but we appreciate everybody's attendance. Let me first of all thank the witnesses for your thoughtful comments, your being here. I would like to acknowledge the support that we have had of our staffs, both Senator McCain's staff and my own, of the Nevada Athletic Commission, Dr. Jim Nave who corrects me for the record that the size of the ring in the Holyfield was in fact 20 feet, not 18, and I apologize for the record.

Senator MCCAIN. A very serious error.

Senator BRYAN. It is, and frankly, the Ethics Commission will be looking into this, Senator McCain.

Senator MCCAIN. Could I also ask, Mr. Chairman, there may be other statements that people would like to submit for the record.

Senator BRYAN. Absolutely—to Marc Ratner for his help, and to apologize to Doc Broders, who we were going to have testify, but I must say I have got another commitment and I think Senator McCain does, as well.

We thank you all, and, Senator McCain, thank you very much for sharing so much of your busy schedule with us, and this hearing will stand adjourned.

[Whereupon, at 12:40 p.m., the hearing was adjourned.]



PROFESSIONAL BOXING SAFETY ACT

THURSDAY, SEPTEMBER 22, 1994

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 2:36 p.m., in room SR-253, Russell Senate Office Building, Hon. Richard H. Bryan, presiding.

Staff members assigned to this hearing: Moses Boyd, senior counsel; and Jeffrey H. Ballabon, minority staff counsel.

OPENING STATEMENT OF SENATOR BRYAN

Senator BRYAN. I would like to take this opportunity to welcome everyone to this afternoon's Commerce Committee's hearing on the Professional Boxing Safety Act, which sets uniform health and safety regulations for professional boxing.

This legislation was introduced by my colleague and member of this committee, Senator John McCain, and I, in March of this year. We are holding this hearing to obtain the views of professional boxing officials.

Professional boxing remains one of the top sports in America. Live and telecast events generate millions of fans each year.

In order to assure the continued popularity of this sport, in my view, it will be necessary to ensure that the health and safety of the fighters are better protected than they have been in the past.

As a native of Las Vegas, I am proud that my hometown is a premier location for professional boxing. Since 1990 alone, Las Vegas has hosted 105 title bouts, with attendance of several hundred thousand fans, and tens of millions of dollars in revenue.

In point of fact, 1994 has been a banner year for boxing in Nevada, with 34 title bouts, including 6 this past weekend in Las Vegas, when Julio Cesar Chavez retained his World Boxing Council Super Lightweight championship in an eighth-round TKO of Meldrick Taylor.

Since its growth as a professional sport, questions have been frequently raised about the health and safety of professional boxing. The critics believe that boxing exposes participants to severe risk of injuries.

Supporters of boxing including the fighter themselves argue that boxing involves no greater risk of injury than other professional sports.

And to back up their contention, they cite statistics which show that boxing is actually ranked below a number of other popular

sports, such as football and auto racing, in the occurrence of serious injury.

Professional boxers, however, like most athletes, are at times susceptible to serious injuries. Professional boxing experts, as well as many in the medical community, believe that the risk of serious injury in many instances can be greatly minimized.

They point out that such injuries can be reduced by properly policing activities that increase the potential for serious injuries. And among those activities cited are poor conditioning, medical infirmities, drug abuses, mismatches, and participation in multiple bouts in short periods of time.

The responsibility for the regulation of professional boxing currently is vested within the respective States. Approximately 44 States have established boxing commissions.

And I am proud to note that my own State of Nevada is recognized as one of the foremost leaders in providing some of the toughest health and safety requirements imposed anywhere in the world.

However, I question if health and safety standards overall are being effectively enforced by all States. The States have been criticized for inconsistently administering health and safety regulations.

Boxing matches continue to be held in a handful of States which have no boxing commission or regulating authority, and there are many examples of fighters who continue to risk injury to themselves by fighting repeatedly in those States with virtually no supervision or protections whatsoever.

On January 20 of this year, Senator McCain and I held a hearing in Las Vegas to examine the ways in which health and safety regulations can be improved.

The witnesses we heard from included State boxing commissioners, a professional trainer, a professional boxer, certified referees and officials, and medical experts. The witnesses all agreed that uniform standards were vital to ensuring adequate enforcement of health and safety regulations.

They also agreed that at a minimum such regulations must include measures to effectively monitor the activities of and maintain updated information on individual fighters.

We took those recommendations and incorporated them in the Professional Boxing Safety Act. The essential purpose of our legislation is that stringent health and safety standards are implemented nationwide.

This legislation includes: one, prohibitions of any bouts held in a State without a boxing commission; two, mandatory registration and identification cards for boxers, which are to contain recent photographs, social security numbers, and personal identification numbers; and three, mandatory reporting of all events to certified boxing registries.

The bill also contains criminal and civil penalties for persons who are found to be in violation of the legislation, including managers and promoters. The legislation grants U.S. attorneys the authority to enforce such violations in Federal district courts.

However—and I believe this is important—we do not preempt State regulatory authority, and States are free to adopt more stringent standards, as they choose.

The Association of Boxing Commissioners, an organization comprised of approximately 36 States with boxing commissions, have taken action to ensure more cooperation among the State commissioners, and I commend them for their efforts.

In fact, one of our witnesses today, Marc Ratner, who is the vice president of the ABC as well as the executive director of the State of Nevada Athletic Commission, will be sharing the findings of a recent study on what States are doing to regulate boxing. Mr. Chairman, your comments, please.

OPENING STATEMENT OF SENATOR HOLLINGS

The CHAIRMAN. I look forward to this afternoon's Commerce Committee hearing on S. 1991, legislation to establish uniform health and safety standards for professional boxing.

Professional boxing undoubtedly is one of the most popular sports in the United States. Boxing matches are attended and watched by tens of millions of fans every year. The two top professional boxing networks—ESPN and USA Cable—have over 120 million subscribers.

Questions have continuously been raised about the health and safety of professional boxing. Some believe that boxing is inherently dangerous. Others argue that boxing is no more dangerous than other major sports, and is less dangerous than such sports as football and auto racing. As with all sports, however, efforts must be made to protect the health and safety of professional boxers, as well as to preserve the integrity of the sport.

Professional boxing experts contend that the risk of major injuries to boxers can be greatly reduced through effective health and safety standards and consistent enforcement of such standards. Although boxing is regulated at the State level, some argue that States have not consistently implemented adequate health and safety standards, which has led to many of the safety abuses and serious incidents. The legislation introduced by Senators McCain and Bryan seeks to alleviate this problem through the establishment of uniform regulations.

Today's hearing has been scheduled to examine the potential impact of the legislation. I am proud to welcome John Holladay, who is the Athletic Commissioner for the State of South Carolina. I look forward to his testimony and to that of the other witnesses.

Thank you, Mr. Chairman.

Senator BRYAN. Thank you, Mr. Chairman. Senator McCain and I have invited a number of distinguished witnesses who are directly involved in the regulation of the industry to give their views.

Testifying shortly will be Marc Ratner, previously identified, who is the executive director of the State of Nevada Athletic Commission. He was also the vice president of the Association of Boxing Commissioners.

We have Dr. Flip Homansky, an esteemed emergency room physician from Las Vegas, who is the chairman of the State of Nevada Athletic Commission's Medical Advisory Board, as well as a licensed ring physician; and John Holladay, Jr., who is the chairman of the South Carolina Athletic Commission.

We also have joining us today the Delaware's distinguished Senator Bill Roth, who has taken an active interest in the sport of box-

ing, and we will hear from him shortly after the committee members have a change to make an opening statement.

I look forward to hearing the testimony and receiving the comments. Hopefully, at the conclusion of this hearing, we will be able to process this legislation and move it out on the floor.

[The prepared statement of Senator Bryan follows:]

PREPARED STATEMENT OF SENATOR BRYAN

I welcome everyone to this afternoon's Commerce Committee hearing on the Professional Boxing Safety Act, which sets uniform health and safety regulations for professional boxing. This legislation was introduced by Senator McCain and myself in March. We are holding this hearing to obtain the views of professional boxing officials.

Professional boxing remains one of the top sports in the United States today. Live and telecast events generate tens of millions of fans each year. However, should the sport of professional boxing wish to continue in its popularity, steps must be taken to ensure that the health and safety of the fighters are protected. Although boxing may simply be entertainment for most of us, it has been a vehicle for the success of many who have had to overcome some of the worst obstacles in life.

My home town of Las Vegas, Nevada, is one of the premier locations for professional boxing. Since 1990 alone, Las Vegas has hosted 105 title bouts, with attendance of several hundred thousand fans, and tens of millions of dollars in revenue. In fact, 1994 has been a banner year for boxing in Nevada, with 34 title bouts, including 6 this past weekend in Las Vegas when Julio Cesar Chavez retained his World Boxing Council SuperLightweight championship in an 8th round technical knockout of Meldrick Taylor.

Since its growth as a professional sport, questions have been frequently raised about the health and safety of professional boxing. Some believe that boxing exposes participants to severe risk of injuries. Supporters of professional boxing, including the fighters themselves, argue that boxing involves no greater risk of injury than other professional sports. They cite statistics which show that boxing is actually ranked below a number of other popular sports, such as football and auto racing, in the occurrence of serious injuries. They believe that if we go down the road of restricting or banning sports because of injury risks, boxing should not be first on the list.

Professional boxers, like most athletes, are at times susceptible to serious injuries. Professional boxing experts, as well as many in the medical community, believe that the risk of serious injuries in many instances can be minimized. They contend that such injuries can be reduced by properly policing activities that increase the potential for serious injuries. These activities include poor conditioning, medical infirmities, drug abuse, mismatches, and participation in multiple bouts in a short period of time.

The responsibility for the regulation of professional boxing currently is within the authority of states. Approximately 44 states have established boxing commissions. I am proud to note that my home state of Nevada is recognized as having some of the toughest health and safety requirements in the world.

However, I question if health and safety standards overall are being effectively enforced by all states. States have been criticized for inconsistently administering health and safety regulations. Boxing continues to exist in a handful of states which have no boxing commission or regulating authority, and there are many examples of fighters who continue to risk injury to themselves by fighting repeatedly in these states with no supervision or protections whatsoever.

On January 20th, Senator McCain and I held a hearing in Las Vegas to examine ways in which health and safety regulations can be improved. The witnesses we heard from included state boxing commissioners, a professional trainer, a professional boxer, certified referees and officials, and medical experts. The witnesses agreed that uniform standards were vital to ensuring adequate enforcement of health and safety regulations. They also agreed that, at a minimum, such regulations must include measures to effectively monitor the activities of, and maintain updated information on individual fighters.

We used those recommendations to write the "Professional Boxing Safety Act." The essential purpose of our legislation is that stringent health and standards are implemented nationwide. The bill includes (1) prohibitions of any bouts held in a state without a boxing commission; (2) mandatory registration and identification cards for boxers, which are to contain recent photographs, social security numbers, and personal identification numbers; and (3) mandatory reporting of all events to

certified boxing registries. The bill also contains criminal and civil penalties for persons who are found to be in violation of the legislation, including managers and promoters. The legislation grants United States Attorneys the authority to enforce such violations in Federal District Courts. However we do not preempt state regulatory authority and states are free to adopt more stringent standards.

The Association of Boxing Commissioners, an organization comprised of approximately 36 states with boxing commissions, have taken action to ensure more cooperation among state commissioners, and I commend them for their efforts. In fact, one of our witnesses today, Mr. Marc Ratner, who is the Vice President of the ABC as well as the Executive Director of the State of Nevada Athletic Commission, will be sharing the findings of a recent study on what states are doing to regulate boxing.

Senator McCain and I have invited witnesses who are directly involved in the regulation of the industry to give their views. Testifying today are Mr. Marc Ratner, Executive Director of the State of Nevada Athletic Commission, and who is also the Vice President of the Association of Boxing Commissioners; Dr. Flip Homansky, an esteemed emergency room physician from Las Vegas who is the Chairman of the State of Nevada Athletic Commission Medical Advisory Board, as well as a licensed ring physician; and Mr. John Holladay, Jr., Chairman of the South Carolina Athletic Commission. We also have joining us the Senator from the State of Delaware, who has taken an active interest in the sport of boxing regulation, Senator Roth. I look forward to the testimony of each of the witnesses.

Senator BRYAN. Before introducing the next committee member, let me just preface my comments by saying we would not be where we are today without the leadership of Senator John McCain.

He not only is an effective legislator, but he is a consummate fight fan, and has on occasion even journeyed to my fair city in Las Vegas to witness boxing.

And I must say working with him on this measure as well as others has been an absolute delight, and I commend him on his leadership, and look forward to working with him on this piece of legislation and others.

Senator McCain.

OPENING STATEMENT OF SENATOR MCCAIN

Senator MCCAIN. Thank you very much, Mr. Chairman. And I appreciate your kind words.

The fact is, this hearing would not be taking place, nor would this bill be marked up if it were not for your efforts, and I am deeply grateful for them.

I would also like to note the continued support and interest of the Senator from North Dakota, Senator Dorgan, who is, of course, very proud of a fighter named Virgil Hill, from his State, who we are trying to get to come to Las Vegas to fight, I might add.

I would also like to mention Senator Roth, who is going to make an opening statement, for his continued and long-time interest.

He points out in his statement, Mr. Chairman, that boxing legislation was considered over 30 years ago, with Senator Estes Kefauver. So, this is certainly not a new issue, but I am somewhat embarrassed and ashamed to say that the Congress of the United States has not acted in even a minimal fashion.

Mr. Chairman, I would like to also thank our witnesses today. John Holladay is the chairman of the South Carolina Athletic Commission, who has done a fine job for many, many years in South Carolina. And I would also like to thank Dr. Flip Homansky and Marc Ratner, who, as you mentioned, are both from Las Vegas.

I have had the opportunity, as you mentioned, twice to attend championship fights in Las Vegas and see a truly professional over-

sight of a boxing event, conducted by professional managers, professional commissioners, and professional physicians.

I do not need to tell you, but I will, that Dr. Homansky saw where a boxer named Simon Brown had a serious cut. He monitored it. It was taken care of.

And he not only monitored it during the fight, but examined the fighter afterward, and made sure the fighter received the proper medical care following the fight, thereby, in my view, going a long way toward preserving his career.

And I think it is general knowledge that Marc Ratner runs the most professional boxing commission in America, with all due respect to the one in my own State and others, so I am pleased to have him here.

I will try to abbreviate my remarks, Mr. Chairman, because you know what my feelings are. But recently there has been a phenomenon which has arisen in America, and I do not call it a sport, this tough man-style, no-holds barred boxing.

This specific event was described in this way by the New York Daily News:

It is called Ultimate Fighting Championship II. For \$14.95, cable viewers will be able to gorge themselves on a visual feast of broken bones and blood. No gloves are allowed. It is a bare-knuckle contest between experts in various fighting disciplines.

The fights are staged in a ring enclosed with chicken wire, and that will ensure the gruesome. You can open up a guy pretty good with an elbow, or a knee, a head butt, or an uncontested bare-fisted haymaker.

The promotional video is heavy on defenseless fighters getting stomped on the canvas. Each match will run until there is a designated winner, according to the company's press release, by means of knockout, surrender, doctor's intervention, or death.

Mr. Chairman, that is not what we know of as what was once described by Dayman Runyon as the "sweet science." So, I would like to run a video of this disturbing event for no longer than about 60 seconds. Because it is very unpleasant, I really do caution some members of the audience from watching this video.

Marc and Flip, you might be interested in seeing this.

Please just run it very briefly, Paul. This unregulated event was carried on pay-for-view television, the following.

[A video was shown.]

Senator MCCAIN. Stop the tape, please.

That is what is being done in America today. Maybe there are comments that can be made about the degeneracy of our society, but the fact is that this kind of thing, I think, continues to occur. The only way it can be stopped is through regulation.

I would like to point out that this match took place in the State of Colorado, which has no boxing commission. It has virtually no regulations over athletic events.

I understand there is going to be another such event in another State very soon, that is the same kind of unregulated, brutal competition, in another State without a boxing commission, athletic commission, or any regulatory body.

Finally, Mr. Chairman, I would like to very quickly mention one of the recent stories about abuses in professional boxing in the Orlando Sentinel. There was a recent story, March 27, 1994, chronicling the following situations which exist:

Following a 9-month suspension in Florida for failing a drug test after his fight with Paul Sonny Barch, 39-year-old Randall "Tex" Cobb fought nine times in six States throughout 1992 and 1993.

Ricky Stackhouse, a 36-year-old boxer from Atlanta, was banned indefinitely in New York on November 11, 1989, for medical reasons. Since then he has fought 11 times in 7 States.

Sam Black, 40, of Little Rock, AR, was permanently suspended in Minnesota on November 22, 1993, for falsifying records. Since then he has fought three times, and was suspended indefinitely in Tennessee a month after the November suspension; Black's record, 153 losses, 24 wins.

Butch Dykes was suspended indefinitely in Illinois in September 1992, for falsifying records. Since then Dykes has fought four times, and was suspended for 6 months in Pennsylvania for fighting while on suspension.

[The information referred to follows:]

[The Orlando Sentinel, Mar. 27, 1994]

A BOUT WITH THE LAW: FLORIDA FIGHTS TO PROTECT BOXERS

(By Gerard Shields)

Florida boxing officials are leading the national crusade for new Federal laws that they say would protect fighters from medical injury and financial exploitation.

Reformers want a Federal boxing commission to govern a sport that now is loosely monitored in 42 States, each with its own rules.

For example, Florida's boxing regulations—among the toughest in the Nation—require that a fighter be suspended for 30 days if his bout has been stopped because of an apparent injury. Fighters must stay out of the ring for 60 days if they are knocked out, to allow adequate recovery time from the blows.

But nothing precludes injured fighters from boxing in other States. During the past 2 years, U.S. Senate investigators and Florida boxing officials have swapped evidence of promoters recruiting older fighters with waning skills to fight around the country for purses ranging from \$200 to \$2,000. For example:

- While on a 9-month suspension in Florida for failing a drug test after his fight with Paul "Sonny" Barch, 39-year-old Randall "Tex" Cobb fought nine times in six States throughout 1992 and 1993.

- Ricky Stackhouse, a 36-year-old boxer from Atlanta, was banned indefinitely in New York on November 11, 1989, for medical reasons. Since then, he has fought 11 times in 7 States.

- Sam Black, 40, of Little Rock, AR, was permanently suspended in Minnesota on November 22, 1993, for falsifying records. Since then, he has fought three times and was suspended indefinitely in Tennessee a month after the November suspension. Black's record: 153 losses; 24 wins.

- Butch Dykes was suspended indefinitely in Illinois on September 9, 1992, for falsifying records. Since then, Dykes has fought four times. He was suspended for 6 months in Pennsylvania on September 8, 1993, for fighting while on suspension.

Among the law proposed is a national identification card that boxers would be required to carry just like a driver's license.

Any State that allows boxing would be required to have a boxing commission. North Carolina and Oklahoma have no boards to oversee boxing in those States.

A proposed Federal law would require fight results to be reported to a national repository within 48 hours, creating an up-to-date national suspension list. Some States don't share results for weeks.

The suspension list would govern promoters and fight organizers found violating any State's rules.

"If somebody is blacked out in New Jersey, they ought to be blacked out all over the place," said Don Hazelton, executive director of the Florida Athletic Commission. "Wouldn't you do the same thing with a bank robbery?"

Senator McCain. The problems go on and on, Mr. Chairman. And obviously what happens is that the health of these fighters suffers, and we are then faced with the tragic situations of people who are permanently impaired, quite often at an early age.

I think there are some simple answers to it, as you know. You described the legislation very well. It is much needed, and I would hope that somehow we could at least move forward with a mod-

erate piece of legislation, so that we can begin to address the problem.

With that, Mr. Chairman, thank you for all of your help.

[The prepared statement of Senator McCain and endorsement letters follow:]

PREPARED STATEMENT OF SENATOR MCCAIN

Thank you Mr. Chairman. I want to extend my sincere thanks to you for holding this hearing today, and for all of your work and support on this issue. The State of Nevada is known as the home of the world's greatest professional boxing events, and I know how important this industry is to you and all the residents of your State. Your active interest in achieving meaningful reform in the professional boxing industry gives hope to not only the fine athletes who dedicate their lives to it, but to the millions of boxing fans in our country who love the sport.

I have been an avid boxing fan for well over 40 years. Boxing can be one of the most exciting and impressive tests of courage and athletic skill that exist in the world of sport. Professional boxing has always been an arduous and demanding profession, fueled by the hopes and sweat of thousands of men who had dreams of success, glory, and a better way of life for themselves and their families. To this very day, boxing is viewed by many disadvantaged, yet determined young men as their best and only change to rise above bleak circumstances that most of their fellow citizens could not even comprehend.

It is these men—some still in their teenage years, others at the end of a long career marked by too much punishment and too little reward—who are the object of the proposal we have before us today. As a Senator, my legislative objective regarding professional boxing revolved around my desire to see that the exploitation of this group of fearless but highly vulnerable athletes in our society is brought to an end. I believe that S. 991, the Professional Boxing Safety Act, will help accomplish this goal.

The physical and economic exploitation I speak of is very familiar to people involved in the professional boxing industry, though it does not often come to mind of the general public. Many Americans may think of boxing only if a local hometown hero emerges, or perhaps when they read with amazement of the huge, multimillion dollar purses that are being battled for by today's greatest champions.

Big paydays and public acclaim, however, are never attained by the overwhelming majority of boxers. A large segment of professional boxers never make more than a \$100 a night. Unfortunately, in State after State in our country, in gyms and arenas both large and small, there are many boxers who are being led into the ring to absorb more punishment shortly after they have been knocked out, battered, or when they are in need of medical attention. These unknown boxers continue to fight long after their skills have eroded to the point where they can no longer properly defend themselves, much less box competitively. The symptoms of the debilitating illnesses they are at risk for may not surface for years, so these men answer the bell, endure another defeat, and trudge on to the next town. As one journeyman boxer said, the exist in the sport solely as "A body for better men to beat on."

The problems in professional boxing that this legislation will remedy are very serious, and they jeopardize the health and welfare of boxers in an unconscionable manner. The objectives of the Professional Boxing Safety Act are as follows. First, we need to immediately shut down the dangerous and disturbing boxing shows that occur in the States that have no regulatory authority to oversee them. These "boot-leg" shows feature boxers who have no business being in the ring due to injury, advancing age, or lack of skills. Journeyman boxers routinely find themselves overmatched against a promising young prospect in need of an easy victory to boost his ranking, and their health and welfare is of small concern to the unscrupulous promoters who are driven only by profit motives.

Second, we need to ensure that no boxer fights in one State while they are under suspension in another. Unfortunately, it is commonplace for boxers in the United States to travel to another State when they are supposed to be serving a mandatory recuperation period, or to avoid a requirement for medical treatment. Some resort to using aliases or distorting their career records when presenting themselves to State officials. To put an end to these practices, S. 991 will require all State boxing commissions to issue an identification card to professional boxers in their State, and to honor the suspensions of other State commissions.

Finally, this legislation will strengthen the system by which State boxing officials share information on professional boxers and other industry personnel in order to prevent fraudulent and unsafe bouts, and to ensure that illegal and unethical prac-

tices in the sport are properly punished. S. 1991 will help provide more accurate and reliable information on boxers from around the world to State boxing officials, and make it easier for them to evaluate the career records and conduct of the boxers, managers, and promoters who come to their State.

I would also like to briefly mention what this legislation *does not do*. The Professional Boxing Safety Act creates no new Federal boxing authority to regulate the sport; it mandates no burdensome regulations upon our already underbudgeted State commissions; it fosters no unnecessary Federal intrusion into legitimate business practices; and it requires no Federal funds or additional taxes on boxing events across the country.

The Professional Boxing Safety Act would be an effective and practical step for the Congress to take in addressing legitimate health and safety issues in the sport, and virtually everyone in the industry that I've discussed this proposal with seems to agree. I'm pleased that the Association of Boxing Commissions—which represents over 30 State commissions across the country—has endorsed the bill, as have the approximately 20 State boxing administrators and sanctioning organizations who have written to me in support of it. I will submit some of these letters for the hearing record.

S. 1991 was developed with the advice and counsel of the most experienced and knowledgeable people in the industry, and I'm confident Senator Bryan and I have put forward an innovative, yet realistic measure to make professional boxing safer, better, and more honorable.

I look forward to the outstanding State officials who have joined with us today, along with the comments of our colleague, Senator Roth. Senator Roth's efforts have helped bring the Senate's attention to issues of public concern in the boxing industry. His investigative work with the Permanent Subcommittee on Investigations has been a great asset to me in my consideration of this issue.

We are indeed fortunate to have Marc Ratner and Dr. Flip Homansky from the Nevada State Athletic Commission, which truly sets the standard for professionalism and excellence in regulating boxing in our country. They really do things right, and I'm grateful to Marc and Dr. Homansky for their support and assistance on this issue.

I want to especially welcome John Holladay, the chairman of the South Carolina State Athletic Commission. It is a pleasure to have you here with us today, and I want to thank you for all of the advice and support you have given to Senator Bryan and I. We are deeply indebted to you.

LETTER FROM ANDY VANDOLAH, PRESIDENT, ASSOCIATION OF BOXING COMMISSIONS

AUGUST 10, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: Thank you for giving me the opportunity to write in support of your bill S. 1991.

My name is Andy Vandolah from Great Falls, MT. Currently, I am chairman of the Board of Athletics, State of Montana, and I am the newly elected president of the Association of Boxing Commissions.

At our semiannual meeting held in Bozeman, MT, July 16, 1994, the ABC unanimously voted to endorse your bill. Some of the reasons why we supported your bill are as follows:

1. Your use of centralized records, suspensions, and a pictured ID tied into the centralized registry.
2. States that do not have commissions, their bouts will be counted as exhibitions, unless supervised by a commissioner from a neighboring State commission approved by the ABC.
3. The support you have shown for the ABC.
4. The passage of S. 1991 would give the ABC the teeth to enforce the rules in noncommission States.
5. Your bill states no Federal commission.

Again, thank you for the opportunity you have given ABC and myself to present our views. Together we can make boxing a sport to be proud of because of better safety measures and regulations.

Sincerely,

ANDY VANDOLAH,
President, ABC.

LETTER FROM LARRY HAZZARD, SR., COMMISSIONER, STATE ATHLETIC CONTROL
BOARD, NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY

APRIL 22, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: I have read with great interest the summary of the Professional Boxing Safety Act—S. 1991, which you provided with your April 4, 1994, correspondence.

This effort, if successful, will make great strides in providing boxing commissioners with the needed strength to enforce their regulatory mandates on a national level. This would be an unprecedented effort, unlike many in the past, which appeared to be designed mainly to create a new Federal bureaucracy.

Much of what you propose will also serve to augment the overall efforts of the Association of Boxing Commissioners.

I suggest that you also include in your Professional Boxing Safety Act, provisions which establish minimum safety requirements relative to the acquisition of a boxing license. The provisions should identify specific medical tests which must be administered to, and passed, by all boxers before they may receive a license. The examinations should include, but not be limited to, a reliable test for the eyes, brain, and heart.

A variety of testing procedures are presently being employed in various States. Once a reliable battery of testing procedures has been identified, the procedures should be employed uniformly across the Nation. National legislation such as you propose would probably be necessary to ensure that procedures are adhered to in all States.

Please feel free to elicit my future input if the need arises.

Very truly yours,

LARRY HAZZARD, Sr.,
Commissioner.

LETTER FROM DONALD F. HAZELTON, EXECUTIVE DIRECTOR, STATE ATHLETIC
COMMISSION, FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

APRIL 13, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0309

DEAR SENATOR MCCAIN: I received your letter of April 4 and my comments on the proposed legislation follow.

I am wholeheartedly in support of all the positive steps you are attempting to take with this proposed bill. However, there is one area that continues to concern me. The requirement to not permit a boxer to fight when on suspension in any State for any reason is a subject that I feel needs further massaging.

Minimum standards should be set to ensure consistent and appropriate elapse times between matches. For example, a mandatory minimum medical suspension of 30 days for a technical knockout (TKO) and 60 days for a knockout (KO) should be established. If, in the opinion of the physician, a longer medical suspension is required, such could be certified and ordered by the physician. Currently, mandatory suspension periods for TKO's and KO's range from none to 90 days. There needs to be a minimum standard or many TKO'd or KO'd boxers will serve no suspension period at all and will legally be fighting the very next day.

A minimum 96-hour elapse time between matches may be appropriate. Again, if there is no minimum time set by Federal legislation, boxers participating in a 10-round war will be able to fight legally the next day in some States.

Providing false information regarding his identity, record or date, and result of his last fight should result in a mandatory suspension period of 1 year and fine assessed to the boxer.

First offense substance abuse could result in a mandatory 6-month suspension for and return of the purse to the commission. Second offense substance abuse could result in a mandatory 1-year suspension and return of the purse to the commission. Third offense substance abuse could result in permanent revocation of license.

Some States have requirements which are wholly unique to those States. Other States do not agree with the requirements. For example, State A requires an EEG, EKG, and CAT Scan after virtually any fight. There is no other State with a blanket

policy such as this. Florida, and all other States besides State A, require medical tests on a case-by-case basis and believe that a blanket requirement for testing is cost prohibitive and unnecessary. While it is appropriate for State A to have more stringent requirements if it so chooses, these requirements should not become requirements of all other States. Another example involves substance abuse. In State B, the first offense for substance abuse results in the permanent revocation of license. In Florida, the first offense results in a 6-month suspension and fine. The second offense results in a 1-year suspension and fine. The third offense results in revocation of license. In other States, the penalties range from 1 month suspension to 1 year suspension. I am unaware of another State that takes a "strike one, you're out" position. State C requires a neurological pencil and paper test prior to licensing. No other State of which I am aware requires such a test and all other commissioners with whom I have conversed do not agree with this test at all.

The solution would be for each commission to state clearly the act that caused the action to be taken (i.e., KO, TKO, 1st time substance abuse, 2d time substance abuse, failed neurological pencil/paper test, etc.). In cases where the Federal legislation sets mandatory minimum suspension periods, the Federal guidelines would be used. Where there are no Federal guidelines, each commission would apply its penalty to the act. Therefore, State A would develop a system so that we could discern their customary practice from a case that was considered more serious and requiring the tests on an extraordinary basis. In the case of 1st time substance abuse, State B could revoke or refuse to issue a license, while Florida would suspend for 6 months. In the case of State C, only that State would be required to use the information regarding its pencil and paper test.

Again, I commend you for the positive steps you are taking and I thank you for allowing me to participate in this process.

If you require further information or I can be of assistance in any way, please do not hesitate to contact me.

Sincerely,

DONALD F. HAZELTON,
Executive Director, State Athletic Commission.

LETTER FROM RANDY GORDON, CHAIRMAN, STATE OF NEW YORK DEPARTMENT OF
STATE DIVISION OF STATE ATHLETIC COMMISSION

APRIL 28, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: Thank you for giving me the opportunity to have an input into your bill regarding professional boxing.

As a sportswriter and sportscaster for 16 years and as chairman of the New York State Athletic Commission for the last 6, I have witnessed thousands of boxing matches in 24 different States in my 22 years in the sport. In my travels throughout the United States covering boxing as a journalist, through my 6 years with the New York State Athletic Commission, I believe I know what is wrong with this sport. It is us, the State athletic commissions/State boxing commissions. We have power, we have authority, we have jurisdiction. However, for decades, we've chosen to sit idly by, for whatever reason, and allow the promoters and sanctioning bodies of the sport (WBA, WBC, IBF, WBO, etc.) to take full control of the process that our individual State governments say rightfully belongs to us.

In the 1960's, the WBA came into power. When a bid for the presidency of the WBA by Mexico's Jose Sulaiman failed in the mid-1960's, Senor Sulaiman broke from the WBA and created the WBC and became its president. Much like a dictator, he continues to sit atop the WBC as you read this letter. The IBF was created much in the same way by Bob Lee in the early 1980's, and the WBO just a few years ago. No less than one-half dozen other sanctioning bodies can be found across the country, all putting out a set of ratings/rankings, all promoting their own champions and all taking sanctioning fees.

As championship fights were brought to different States through the 1960's and 1970's, State commissions were told, in no uncertain terms by the promoters and by the sanctioning bodies, "Here are the judges for the championship fight. Here is the referee. Here are the rules." Any complaint by the State commission as met by a threat to pull the fight out of that state and take it to another State, "which gladly would love to have it, along with the tax money the State will collect." Not wanting the fight to head elsewhere, the States backed down. The more they backed down,

the stronger the sanctioning bodies became. Championship boxing matches were all but taken out of the hands of State commissions. In many instances, potential quality officials (referees and judges) offered by State commissions were rejected by the sanctioning bodies. In their place came political favors and favorites. Many times, the officials were inexperienced. Worse, many were incompetent. Worse yet, others were dishonest. Allow the promoter's fighter or the promoter's favorite to win the close rounds—along with the fight—and that judge or referee was on his/her way to another venue, perhaps exotic, perhaps lucrative. All the State commissions could do was sit back and watch.

In the mid-1980's, New York Gov. Mario M. Cuomo, in a chat with then-New York State Athletic Commission Chairman Jose Torres, discussed boxing's lack of uniformity, in both rules and regulations and compliance between State commissions. The Association of Boxing Commissions was born. Unfortunately, it took nearly 5 years—and several major black eyes to the sport—for the ABC to begin working together.

Today, with the exception of a small amount of holdouts, the Association of Boxing Commissions is working as a single unit, almost as a national commission. Suspensions are being complied with, rules are being unified, regular meetings are being held, seminars are being given to officials, boxers' records are being checked, and shows are being reported almost as they happen to "Fight Fax" and to the Florida State Athletic Commission, which then places the medical and administrative suspensions on its all-encompassing suspension list. In addition, State commissions have taken back what rightfully belong to them—the power of jurisdiction over EVERY boxing match which takes place inside State-regulated boundaries. Today, when a sanctioning body comes into a State for a championship fight, they bring with them only their championship belt. They leave their referee, their judges, and their rules behind. The States now dictate to them, rather than the other way around.

I am in favor of your bill. I see it having enough "teeth" to make it highly effective. Your recommendation of there being no boxing in any State which has no commission is an exceptional one. I believe your bill will also put an end to the arrogance of noncomplying States, those which choose—for whatever reason—to ignore the suspensions of other States, be they medical or administrative.

I believe minimal medical standards should be brought into the picture. By minimal, I mean more than a stethoscope on the chest, which is exactly what many States do. I've been told by many, that, in New York, we overregulate the sport from a medical standpoint, where our licensing requirements are by far, the toughest in the world. To those critics I say that it is impossible to medically overregulate boxing.

In section 7 of your bill under (b) Suspensions, rather than say a boxer, promoter, or manager, you can be more thorough by using the word "licensee."

Under Criminal Penalties is a recommendation of a fine of not more than \$20,000 for a manager or promoter yet not more than \$1,000 for a boxer. Shouldn't all licenses be treated equally, and should \$20,000 be placed as a maximum when, in many instances, a purse can be millions of dollars?

All in all, I agree with your bill. However, it can only work if all State commissions are in compliance with it and with one another.

At your convenience, I would like to sit down and discuss this bill further.

Very truly yours,

RANDY GORDON,
Chairman.

LETTER FROM JOHN H. MONTANO, EXECUTIVE DIRECTOR, ARIZONA STATE BOXING COMMISSION

JUNE 9, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: The Arizona State Boxing Commission supports the proposed boxing legislation and is ready to give any assistance necessary to help in the passing of this bill.

Recent conversations with Paul Feeney have alleviated any concerns I had regarding the bill, however, I would include in section IV, Enforcement, agents and match-makers, along with managers and promoters, as responsible parties for contracting suspending fighters.

I am sure that if we all work together we can make this a safer environment for our young men and women who choose this profession.

We, as a regulatory agency and you Senator, as an elected official, have been entrusted to ensure the best possible environment for our young athletes, I am confident that the trust is well placed and justly deserved.

The Arizona State Boxing Commission wants to thank you for your efforts in passing this much needed legislation.

Again we are here for any assistance that we can give.

Sincerely,

JOHN H. MONTANO,
Executive Director.

LETTER FROM LEONARD MILLER, CHAIRMAN, LOUISIANA STATE BOXING AND
WRESTLING COMMISSION

MAY 23, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: At our last meeting, our commission voted, with unanimous approval, to endorse your bill which would strengthen safety measures for boxers and assist State commissions in the proper regulation of boxing shows. Truthfully, our commission feels that your bill should have been drafted up with stronger mandates. However, we also feel that you are taking this first step, just to get "this door opened" for future legislation.

We feel all States should have regulatory boards conducting boxing business. We also advocate that there should be uniform minimum standards for all States. As it now stands, this can only be mandated through Federal legislation. Our commission also is a "strong backer" of the Association of Boxing Commissions. Through Federal mandates, the ABC could be the key "tool" in instituting these guidelines for your bill. The ABC meets twice each year; next meeting will be in Bozeman, MT, from July 14 through 17. Contact Jim Hall, President, for further details.

We will contact our State senators/representatives and inform them of our commission's decision. Your bill is needed—this is a step in the right direction for the betterment of boxing.

With kindest personal regards, I remain.

Respectfully,

LEONARD MILLER,
Chairman.

LETTER FROM ANDY VANDOLAH, CHAIRMAN, MONTANA ATHLETIC COMMISSION

APRIL 27, 1994.

Honorable Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: In regards to S. 1991, the Professional Boxing Safety Act of 1994:

I am presently chairman of the Montana Commission and vice president of the Association of Boxing Commissions.

In a State that has anywhere from 5 to 12 fights a year, which is the norm for the majority of the States, it's a pleasure to voice my concerns to you. It doesn't make any difference if you have 50 fights a year or 1, the problems are still the same and sometimes worse because promoters and managers believe they can get away with more.

I agree with you that all States should have a commission or contract with the commission to be able to hold a boxing contest and all States should honor the suspension list. I also agree that all boxers should have an ID or passport from their State and it be put into the central computer base where boxing records are kept, as well as the suspension.

The issue of Enforcement—Section IV, I believe after the statement "or holding a boxing show without the approval of the State boxing officials", should then read: "if any of the boxers are not paid their purse, unless withheld because of violations."

The ABC should have minimum standards to be followed by all States and standardize all forms to be used by all States, endorsed by the association.

A bill that gives the State more enforcement power to deal with the problems in boxing is needed. Anything we can do to protect the health and safety of the boxer, I am in favor of.

I appreciate you giving me the opportunity to respond to your bill.

Sincerely yours in boxing,

ANDY VANDOLAH.

LETTER FROM TODD J. NEAL, CHAIRMAN, KENTUCKY ATHLETIC COMMISSION

APRIL 26, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: The Kentucky Athletic Commission has received your letter dated April 4, 1994, and the attached detailed summary of bill S. 1991, The Professional Boxing Safety Act of 1994, and overwhelmingly supports this legislation.

The Kentucky Commission has just this past year completed major revisions in KRS Chapter 229—Law and Regulations Relating to Professional Boxing and Wrestling in Kentucky, a copy of which is enclosed for your perusal.

The commission is also contacting all of Kentucky's Senators and Representatives and asking their support of the above-designated legislation.

Please feel free to contact the Kentucky Athletic Commission office or me if you need further assistance or any additional information we might be able to provide.

Sincerely,

TODD J. NEAL,
Chairman.

LETTER FROM MARY ANN CAMPBELL, BOARD CLERK, DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION, DIVISION OF LICENSING AND ENFORCEMENT, MAINE STATE ATHLETIC COMMISSION

MAY 24, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: This letter is in response to yours of April 4, 1994, requesting support of bill S. 1991, the Professional Boxing Safety Act of 1994.

At its meeting of May 10, 1994, the Maine Athletic Commission reviewed the detailed summary of the bill and unanimously agreed that it would support your piece of legislation, which you introduced in the U.S. Senate on March 25, 1994.

Like yourself, the Maine Athletic Commission's main concern and duty is to ensure the safety of all participants, and it appears this bill will accomplish just that.

If the commission may be of further assistance, please feel free to contact this office.

Sincerely,

MARY ANN CAMPBELL,
Board Clerk.

LETTER FROM JAMES J. O'HARA, EXECUTIVE SECRETARY, MINNESOTA BOARD OF BOXING

MAY 2, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: You sponsored a professional boxing safety act on March 25, 1994:

1. Requires that all States enforce proper identification of all boxers appearing in their State. (Federal law will ensure this.)
2. The ID will help States to provide the identity and proof of medical history. (Federal law will ensure this.)
3. All States that have professional boxing must have a regulatory board. (Minnesota does.)

4. Make sure physicians are present, and medical services are available. (Minnesota does.)

5. Commission will be required to review the background of boxers and ensure that no boxer fights while under suspension in another jurisdiction. (Minnesota does.)

6. All commissioners promptly report the results of each event held in their State, and hope that other States respect their suspensions. (Federal law would require.) (Minnesota sends notices to over 25 States.)

JAMES J. O'HARA,
Executive Secretary, Minnesota Board of Boxing.

LETTER FROM WILLIAM R. LYONS, CHAIRMAN, MISSISSIPPI STATE ATHLETIC
COMMISSION

APRIL 26, 1994.

Honorable JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0302

DEAR SENATOR MCCAIN: I received your good letter and have read S. 1991. You can be assured that the Mississippi State Athletic Commission strongly endorses this proposed legislation.

In looking over this bill, I am happy and proud to report that this commission strictly enforces all of the provisions of S. 1991.

Our commission was inactive from June 1990 to June 1992. Gov. Kirk Fordice appointed me to the position of chairman in June 1992. Since that date we have conducted 31 professional boxing events in Mississippi. Every one of these events were conducted in strict accordance with our rules.

We are fortunate in that we have four of the best ring officials in the world to conduct boxing in the ring. We also have a number of knowledgeable, dedicated, and fair judges. Our commissioners and deputy commissioners and inspectors know the rules of professional boxing and perform their duties in an exceptional manner. They have been heaped with praise from visiting promoters, managers, and boxers.

Results of our boxing shows have been mailed to Fight Fax, Inc. (formerly Ralph Citro's record service), the Florida Athletic Commission, who keeps our suspension lists and to every commission whose State is represented by a boxer on the cards.

We also send these reports to reporting agencies in Canada, Puerto Rico, and England.

We honor suspension in other States, without exception.

Senator, you are involved in a program that will be immeasurable help to the boxers who need this legislation.

A copy of this letter will be mailed to Senator Trent Lott and Senator Thad Cochran, our Mississippi Senators. I feel certain that they will support this bill.

You have the full support of the Mississippi State Athletic Commission and I pray that this bill will be passed.

Sincerely,

WILLIAM R. LYONS,
Chairman, Mississippi State Athletic Commission.

LETTER FROM JACK W. GARISON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF
LICENSING AND REGULATION

MAY 3, 1994.

The Honorable JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: Thank you for your letter regarding S. 1991, the Professional Boxing Safety Act of 1994. As the executive director of the State agency responsible for the regulation of boxing in Texas, I am always interested in developments in the Congress and all approaches to ensuring the safety of boxers.

I have enclosed a copy of the latest version of the Texas Boxing and Wrestling Act and the administrative rules currently in effect to implement that legislation. Texas has a mandatory licensing scheme for all participants in boxing and emphasizes safety for boxers in its requirements for annual licensing of boxers including eye and physical examinations and blood test. The required state identification card

contains the boxer's photo, social security number, and a computer number assigned by the department.

Texas maintains reciprocity with other commissions and honors suspensions from other jurisdictions. Normally all show results are reported by fax to Fight Fax and by mail to over 100 others worldwide.

Since the members of the department's policymaking body, the Texas Commission of Licensing and Regulation, have long maintained a high interest in boxing, I have taken the liberty of forwarding your letter to them for any comments that they may wish to submit directly.

Thank you for your interest in boxing and in keeping us informed.

Sincerely,

JACK W. GARISON,
Executive Director.

LETTER FROM JOHN H. HOLLADAY, JR., CHAIRMAN, SOUTH CAROLINA DEPARTMENT
OF LABOR, LICENSING, AND REGULATION

JUNE 15, 1994.

The Honorable JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510-0303

DEAR SENATOR MCCAIN: I certainly agree that something must be done to ensure safety in boxing and other sports. The need for boxing controls has been obvious to Congress since Senator Kefauver held hearings in 1960 and introduced legislation in 1961 and 1962.

Senator Kefauver's bills like those introduced in most sessions of Congress did not make it to both Houses. I am sure that this legislative history is frustrating to you and other bill authors such as Congressmen Bill Richardson and Pat Williams who have sponsored most of the legislation in the last 10 years.

While the health and safety of "club" boxers is of paramount importance, some of the States with sophisticated regulations have more lopsided mismatches than many so-called less controlled States. I am also concerned about the growing popularity of what we in South Carolina call "Off the Street Boxing" (often known as Tuffman, Badman, Meanest Man, etc.) and to a lesser degree kickboxing, both of which are largely unregulated and extremely difficult to control. Most of the contestants in "Off the Street Boxing" have little or no experience and have rarely trained for the event. Without proper regulation and supervision these inexperienced "boxers" will be paired with highly skilled opponents. None of these contestants will have identification cards and none will be in the computers of the approved boxing registries nor will they appear on Florida's monthly list.

Your bill, S. 1991, is certainly a move in the right direction and it will have a better chance of becoming law than other bills that would be expensive to set in place. While I support your bill and most legislation to control boxing, I do have some comments.

1. The bill should specifically include "Off the Street Boxing."
2. When boxers come from another country or an unregulated State, there should be some controls to prevent registration in more than one State.
3. I believe that there should be some sort of grading system to help prevent promoters from overmatching boxers. This grading could be done by the various approved boxing registries.

I share your concerns about the number of boxers who have been injured or have had positive drugs or HIV tests in one State and have been permitted to box in another State. I would also like to see commissions honor suspension of promoters who have had their licenses revoked in another State.

I am sending a copy of this letter to Senator Hollings, who is my Senator, asking him assign S. 1991 to a subcommittee for early action.

Thank you for coming up with a simple bill that should not generate much congressional opposition. Since we are in the last half of the second year of the congressional session it is imperative that action be hastened on the bill.

Sincerely,

JOHN H. HOLLADAY, Jr.,
Chairman.

LETTER FROM R.G. OATFIELD, MD, FACC, FACP, HEART AND LUNG CLINIC,
COMMISSION MEMBER, NORTH DAKOTA STATE BOXING COMMISSION

MAY 27, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510

DEAR SENATOR MCCAIN: I have been forwarded a copy of your letter and proposed legislation in regard to regulation of boxers by the North Dakota Boxing Commission. As a member of the commission since its inception and with an interest in boxing for some years, I highly commend this move. One of the biggest problems we have, particularly myself as a ringside physician and the only physician member of the boxing commission, is in trying to be sure that boxers really are safe and protected from injuring themselves on a permanent basis.

The only comment I would have in regard to the proposed legislation is that it needs to be worded very carefully so that the onus for being able to actually obtain old records for each boxer from fights of previous dates must be placed on the individual and not on the State. We have tried on several occasions to obtain these records but, as I am sure you are aware, a lot of these boxers use aliases and actually we find out more about their previous fights or their aliases through indirect contacts with nearby boxing commissions when they come in to observe a match or vice versa but there is virtually no way for us to track down all of the possible aliases and variations that these boxers use in being able to box in various States.

Again, regardless of the outcome, we certainly commend you for your help in this matter that I think most boxing commissions have had problems with over the previous years.

If I can be of any further help, please feel free to contact me.

Regards,

R.G. OATFIELD, MD, FACC, FACP,
Heart and Lung Clinic, and Commission Member,
North Dakota State Boxing Commission.

LETTER FROM MUHAMMAD ALI

AUGUST 3, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510

DEAR SENATOR MCCAIN: Thank you for sending me the current bill you introduced in the Senate regarding the regulation of professional boxing matches.

I have read bill, S. 991, the Professional Boxing Safety Act and I found its purpose one that is much needed and long overdue in the professional boxing world.

For too long, the sport of boxing has had a shadow cast over it because of the lack of regulation from a respected central governing body, which gave opportunity for many young boxers to be abused and taken advantage of by seasoned professionals in the business. I know firsthand that this is more the norm than the exception.

Boxing is a great sport. The caliber of spectators who enjoy the sport readily attest to that fact. I firmly believe with the passage of bill S. 991, the Professional Boxing Safety Act, the sport can be made a clean sport, leaving behind the stigma that has followed it for far too long.

I thank you for your support for the sport and your efforts to make this sport a good sport for all concerned.

Sincerely yours,

MUHAMMAD ALI.

LETTER FROM JOSE SULAIMAN, PRESIDENT, WORLD BOXING COUNCIL

APRIL 20, 1994.

Senator JOHN MCCAIN,
U.S. Senate,
Washington, DC 20510

HONORABLE SENATOR MCCAIN: On behalf of the World Boxing Council, I respectfully and strongly support the bill, S. 991, which has been introduced to the Senate for legislation.

Boxing in the United States is in need of some organization for the sake of safety and continuity. I believe that the bill, S. 1991, will do both.

A couple of suggestions could be heeded, as in accordance to the laws of several U.S. States: the boxing commissions must issue licenses to all boxers competing in the State; however, this causes boxers to have several licenses. Therefore, the document that you call J.D. must be national and shall be only one license per boxer in order to prevent boxers from using the document which is most convenient to them. We in the WBC, have a similar international boxers license that we call the Boxer's Passport; this document has been extremely successful all over the world except for the United States.

A good and simple ruling as your proposal suggests could be the beginning of a new and very optimistic future for professional boxing in the United States, presently being in the hands of chaos and anarchy and the reason for so many accidents that could easily have been avoided. There are several State commissions that have good controls, but others that are questionable with little or no reciprocity.

The World Boxing Council supports bill S. 1991 and offers our modest services for its success, unconditionally. We have offered through our committee chairman, Don Hazelton, in the past, our support and sponsorship.

Please do not hesitate to contact us for any matter as you think appropriate.

Respectfully yours,

JOSE SULAIMAN,
President, WBC.

Senator BRYAN. Thank you very much, Senator McCain. We appreciate your comments.

Senator McCain alluded to it in his opening comment, and I certainly would like to associate myself with his comments about Senator Dorgan, who has had a long-time personal interest in this.

He has been a real leader in formulating legislative approaches that deal with an issue for which I think we all want corrective action.

And as he knows, the State of Nevada and in the State of North Dakota have a long-time and a very positive association, in terms of sharing and reciprocal activities.

And I would just like to acknowledge his leadership and express my appreciation with him, and be pleased to hear from him.

OPENING STATEMENT OF SENATOR DORGAN

Senator DORGAN. Mr. Chairman, thank you very much.

Since no one else is commending anybody in Washington these days, let me add my commendation for all of you here. The folks here have worked on this a long, long time, Senator Roth, Senator McCain, yourself, and others.

I think 1982 was probably about the first year that I put a bill in over in the U.S. House on this. We worked a long time, and really have not gotten very far. And this holds, I think, the first real promise that maybe we can advance something under your leadership, and Senator McCain, and Senator Roth.

I would like to make just two very brief points. What I see in boxing is a sport in which some wonderful young men, very gifted, very talented, very athletic participate, and in which many others use them and often abuse them to make a great deal of money, and when they are done, often in their early twenties, or mid-twenties, or late twenties, the boxer ends up with no future, with no pension, with no resources, and the promoter is on to the next fighter to use that fighter.

And I do not say that about all promoters, but I just say that a lot of boxers have that experience. I would very much like to see

a standard that says we are going to have national safety standards in American boxing, give the States great flexibility.

We are going to have a national registry, so that you cannot fight in one State, and withhold the results from another State.

And we are going to begin the process of helping create a system, so that a young professional boxer will have the same sort of opportunity that perhaps a football player has or a baseball player has, the potential of a pension, and so on, some day through the proceeds of the purses that are generated by their boxing.

Most fighters do not fight in front of stadiums. Most fighters are fighting in clubs, in front of a few patrons, with a lot of smoke. For a lot of them it is not a lot of glory, and it is not very pleasant. I just hope we can do something for these people.

I would like to make just one point. The video shows something that I find sickening. If, God forgive us, we decide that is the way we want to entertain ourselves in America, there is something wrong with us.

And I would say that I do not want to be left with a circumstance where we say to the States you must have a commission, and you must describe the standards, and we will give you flexibility, where at the end of it, a State would say, well, we will have a commission, and our standard is we will allow that.

We want to have two doctors rather than one at ringside, but our standards are minimalist, and we would accept that sort of sickness.

I think that I would like us to describe a minimalist level that is adequate to ensure the safety of boxers in a real way. And so that might be one area where we may differ a bit, and I hope we can work toward the same end.

A national registry, I think all of us agree that we ought to have that, and standards that give us and give boxers some notion of their safety in this sport.

So, thank you very much for holding this. I unfortunately cannot stay for the whole hearing today, the entire hearing, but I am very interested in continuing to participate with you.

Senator BRYAN. And I appreciate that, Senator Dorgan. Thank you very much.

I think one thing else is that there has to be an identification so that there are no fighters fighting under different names. I think that is central to our goal, and I think you would agree with that as well.

Senator DORGAN. I sure do.

Senator BRYAN. Thank you very much for your comments, Senator Dorgan. We will keep the record on this open for you to make any additional comments or additional questions that you may have.

And we are pleased now to hear from our first witness, our colleague from Delaware, who has been involved with this for a long time himself, and I acknowledge and commend your interest and your leadership, Senator Roth. And we would be pleased to hear from you now. Welcome to our hearing.

STATEMENT FROM HON. WILLIAM V. ROTH, JR., U.S. SENATOR FROM DELAWARE

Senator ROTH. Thank you, Mr. Chairman, and members of the committee.

I feel much more optimistic that maybe we can get something done. This has been a matter of grave interest to me, based on some experiences back home, but it is going to take a bipartisan effort, and I am hopeful that we can all work together and really take some positive steps in helping what is a very important sport.

As ranking minority member of the Senate permanent Subcommittee on Investigations, I recently concluded a 1½-year investigation of professional boxing, and based on our hearings, I can state, in the strongest possible terms, that legislation effectively regulating professional boxing is badly needed, and in my judgment, long overdue. And I think that 60-second video demonstrates that to be the case.

Our investigation concluded that the sport continues to have serious problems, that the boxing industry regretfully has proved to be incapable of effective self-regulation, and that the current State-based regulatory structure is in need of major overhaul.

I believe these problems are most effectively addressed by S. 1189, the Professional Boxing Corporation Act of 1994. This bill marks the first time in the long history of congressional attempts to reform boxing in which both Republicans and Democrats in both the Senate and the House have joined together to introduce the same reform legislation.

The companion bill on the House side, H.R. 2607, is sponsored by Congressman Richardson and eight others. I am proud of the bipartisan support this bill has gathered, both in the Senate and the House, in our effort to enact meaningful and effective boxing reform legislation into law.

The last time the Senate considered boxing reform legislation, which was some 30 years ago, under the leadership of Senator Estes Kefauver, the United States was represented at the Olympics by a brash young boxer who was then known as Cassius Clay.

Unfortunately, my recent investigation of professional boxing found that, while the names have changed, most of the problems Senator Kefauver found in boxing more than 30 years ago still exist today.

The foremost of my concerns is, of course, the physical health and safety of boxers, which was then, and continues now to be poorly protected under the current balkanized system of regulation.

Our investigation also found evidence of corrupt business practices, inordinate influence exerted by unregulated sanctioning organizations, and the continued influence of organized crime.

Professional boxing is heavily influenced by privately organized international sanctioning organizations, which are essentially unregulated. These so-called alphabet soup groups derive their power from their control of the most sought after prizes in boxing, world titles, and the rankings that lead up to a boxer getting a title shot.

For this privilege, the sanctioning bodies are able to extract large sanction fees from boxers and promoters. Heavyweight Evander Holyfield told us that he paid nearly \$600,000 in sanction fees for his title fight against Larry Holmes, and he received little in re-

turn. He even had to pay for his own championship belts. The sanctioning bodies are self-appointed entities, accountable to no one, and effectively unregulated by anyone under the current system.

The ultimate victim of all of these inequities is the boxer. Unfortunately, most boxers find themselves at the bottom of the boxing food chain.

Most boxers never get close to the big pay days and glamour of a world title fight. Instead, most boxers slave away anonymously in gyms all across this country, chasing a dream. Those are the boxers that this legislation is primarily intended to protect.

Boxers enjoy few, if any, of the protections and benefits accorded other professional athletes, such as health insurance and pension plans. Many boxers end up physically and financially racked by a system woefully unable to protect them from exploitation.

We take great pride when our Olympic boxers carry the American flag into the ring, but when those same boxers turn professional and the system grinds them down, that same sense of pride ought to demand that these men obtain better treatment.

Boxing is different from other sports. Boxing does not have a central self-regulatory authority like a league president or commissioner, nor is it likely that, in the absence of Federal legislation, any such self-regulatory authority will be established.

Unlike other sports, boxing lacks uniformity in its rules. There is no other sport in which the rules and regulations vary so widely, as does their enforcement.

There are several States where professional boxing takes place, but is totally unregulated. And even where there are good rules on the books, they often are not enforced.

As a result, the current system of inadequate or nonexistent regulation presents grave dangers to the health and safety of the young men who choose to enter the boxing profession.

This is a system under which the regulated often rule the regulators, and the most powerful people are effectively beyond the regulators' reach.

Given the continuing problems facing the sport, what then are our options? Some say boxing should be abolished. I believe that would be both unworkable and unfair to the many young men for whom boxing provides opportunities, as well as to the sport's millions of devoted fans.

I believe the best option is for us to provide some form of Federal oversight of professional boxing. This is the best means by which we can establish the uniformity of rules and enforcement essential to protect the health and safety of boxers and the credibility of the sport.

I believe the Professional Boxing Corporation Act is the most effective means of accomplishing those goals.

My legislation establishes a nonprofit Government corporation that, except for an initial startup loan, will be self-funding. It will cost the taxpayer nothing.

This corporation will not replace existing State boxing authorities; rather, it will work with them to develop and enforce uniform minimum standards for professional boxing in order to protect the boxers' safety and reduce corruption and unfairness. In sum, this

legislation provides the unifying authority currently lacking in professional boxing.

I also want to underscore the fact that this corporation will not micromanage boxing. That will be left to the sport itself, as it should be.

For example, this legislation specifically prohibits the corporation from ranking boxers or promoting fights. The corporation will work with the State boxing authorities to ensure that everyone plays by the same rules, and that those rules are enforced.

We should not squander this opportunity to enact meaningful and effective reform in a sport where it is long overdue. A bandaid approach will not work.

We owe it to all the young men in gyms throughout the country to establish a boxing regulatory system that works as hard to protect them outside the ring as they do inside the ring.

For the boxers, for their fans, and for the credibility of the sport as a whole, I urge my colleagues to join with me in working to pass this legislation.

Again, I thank you, Mr. Chairman, and I would like to say we look forward to working with you and the other members of your committee, as well as on the House side, to enact meaningful legislation.

Senator BRYAN. Thank you very much, Senator Roth. We appreciate your leadership and your spirit of cooperation in working with us.

[The prepared statement of Senator Roth follows:]

PREPARED STATEMENT OF SENATOR ROTH

Thank You, Mr. Chairman and members of the committee for holding these hearings and for giving me the opportunity to address the committee on this important subject. As the Ranking Minority Member of the Senate Permanent Subcommittee on Investigations, I recently concluded a one and one-half year investigation of Professional boxing. Based on our hearings, I can state in the strongest Possible terms that legislation effectively regulating Professional boxing is badly needed and long overdue. Our investigation concluded that the sport continues to have serious problems; that the boxing industry has proved to be incapable of effective self-regulation; and that the current state-based regulatory structure is in need of a major overhaul.

I believe those problems are most effectively addressed by S. 1189, the Professional Boxing Corporation Act of 1994. This bill marks the first time in the long history of Congressional attempts to reform boxing in which Republicans and Democrats in both the Senate and the House have joined together to introduce the same boxing reform legislation in both bodies. The companion bill on the House side, H.R. 2607, is sponsored by Congressman Richardson and 8 others. I am proud of the bipartisan support this bill has gathered both in the Senate and the House in our efforts to enact meaningful and effective boxing reform legislation into law. I believe S. 1189 represents our best opportunity to achieve that goal.

The last time the Senate considered boxing reform legislation, which was some 30 years ago under the leadership of Senator Estes Refauver, the United States was represented at the Olympics by a brash young boxer who then was known as Cassius Clay. Unfortunately, my recent investigation of Professional boxing found that, while the names have changed, most of the problems Senator Kefauver found in boxing more than 30 years ago still exist today. The foremost of my concerns is the Physical health and safety of boxers—which was then and continues now to be poorly Protected under the current balkanized system of regulation. Our investigation also found evidence of corrupt business practices, inordinate influence exerted by unregulated sanctioning organizations, and the continued influence of organized crime.

Professional boxing is heavily influenced by privately organized international sanctioning organizations which are essentially unregulated. These so-called "alphabet soup" groups derive their power from their control of the most sought after prizes in boxing—world titles and the rankings that lead up to a boxer getting a

title shot. For this privilege, the sanctioning bodies are able to extract large sanction fees from boxers and Promoters. Heavyweight champion Evander Holyfield told us that he paid nearly \$600,000 in sanction fees for his title fight against Larry Holmes and he received little in return—he even had to pay for his own championship belts. The sanctioning bodies are self-appointed entities, accountable to no one, and effectively unregulated by anyone under the current system.

The ultimate victim of all of these inequities is the boxer. Unfortunately, most boxers find themselves at the bottom of the boxing food chain. Most boxers never get close to the big paydays and glamour of a world title fight. Instead, most boxers slave away anonymously in gyms all across this country, chasing a dream. Those are the boxers that this legislation is primarily intended to protect. Boxers enjoy few, if any of the protections and benefits accorded other professional athletes, such as health insurance and pension plans. Many boxers end up physically and financially racked by a system woefully unable to protect them from exploitation. We take great pride when our Olympic boxers carry the American flag into the ring. When these same boxers turn professional and the system grinds them down, that same sense of pride ought to demand that these men obtain better treatment.

Boxing is different from other sports. Boxing does not have a central self-regulatory authority like a league president or commissioner, nor is it likely that, in the absence of federal legislation, any such self-regulatory authority will be established. Unlike other sports, boxing lacks uniformity in its rules. There is no other sport in which the rules and regulations vary so widely, as does their enforcement. There are several states where professional boxing takes place, but is totally unregulated. And even where there are good rules on the books, they often are not enforced. As a result, the current system or inadequate or non-existent regulation presents grave dangers to the health and safety of the young men who choose to enter the boxing profession. This is a system under which the regulated often rule the regulators and the most powerful people are effectively beyond the regulators' reach.

Given the continuing serious problems facing the sport, what then are our options? Some say boxing should be abolished. I believe that would be both unworkable and unfair to the many young men for whom boxing provides opportunities, as well as to the sport's millions of devoted fans.

I believe the best option is for us to provide some form of federal oversight of professional boxing. This is the best means by which we can establish the uniformity of rules and enforcement essential to protect the health and safety of boxers and the credibility of the sport. I believe the Professional Boxing Corporation Act is the most effective means of accomplishing those goals.

My legislation establishes a non-profit government corporation that, except for an initial start-up loan, will be self-funding it will cost the taxpayer nothing. This Corporation will not replace existing state boxing authorities—rather, it will work with them to develop and enforce uniform minimum standards for professional boxing in order to protect the boxers' safety and reduce corruption and unfairness. In sum, this legislation provides the unifying authority currently lacking in professional boxing.

I also want to underscore the fact that this Corporation will not micromanage boxing—that will be left to the sport itself, as it should be. For example, this legislation specifically prohibits the Corporation from ranking boxers or promoting fights. The Corporation will work with the state boxing authorities to ensure that everyone plays by the same rules and that those rules are enforced.

We should not squander this opportunity to enact meaningful and effective reform in a sport where that is long overdue. A band aid approach will not work. We owe it to all of the young men in gyms throughout the country to establish a boxing regulatory system that works as hard to protect them outside the ring as they do inside the ring. For the boxers, for their fans, and for the credibility of the sport as a whole, I urge my colleagues to join with me in working to pass this legislation.

Thank you again for the opportunity to testify before you here today, and I look forward to working with you on this important issue.

Senator BRYAN. Let me defer now to my colleague, if he has any questions.

Senator MCCAIN. No. I would just like to thank Senator Roth. He has been at this issue for a long time, and we deeply appreciate everything that he has done. Thank you.

Senator ROTH. Thank you, Senator McCain.

Senator BRYAN. Thank you very much.

We will now invite our panel to join us at the witness table, John Holladay, Jr., the chairman of the South Carolina Athletic Commission; Dr. Flip Homansky, of Las Vegas, NV, an emergency room physician as well as a ringside physician for the Athletic Commission of Las Vegas; and Marc Ratner, the executive director of the Nevada State Athletic Commission.

Gentlemen, make yourselves comfortable, and pull a microphone up close, so that we can get the benefit of your thinking.

At least two of you have statements for the record, and we will make those statements a part of the record, without objection. Marc Ratner, we will hear from you first.

STATEMENT OF MARC RATNER, EXECUTIVE DIRECTOR OF THE NEVADA STATE ATHLETIC COMMISSION AND VICE PRESIDENT OF THE ASSOCIATION OF BOXING COMMISSIONS

Mr. RATNER. OK. Very well, Senator. I want to first of all say how delighted and happy that I am to be here, and very honored to be here.

I wanted to thank Senator Dorgan and Senator Roth, but they have already gone.

But I want to thank Senator McCain and you, Mr. Chairman, for giving me the chance to be a witness here. I am, once again, very, very delighted to be here.

My name is Marc Ratner. I am the executive director of the Nevada State Athletic Commission, and I am also here as the vice president of the Association of Boxing Commissions. I want to say, first of all, at the ABC convention that was just held in July, that the Association of Boxing Commissions endorsed the McCain-Bryan bill in its total.

We agree that a State must have a commission or has entered into an agreement with a State boxing commission of another State. That is very, very important. The idea of an identification card with a picture of some kind, it has to be. We cannot exist without something like that.

Reporting boxing match results in a timely manner and reporting suspensions on these results is one of the most significant requirements of this bill. Without those results a State commission cannot do their job effectively.

We believe there must be some kind of a type of grievance procedure for suspensions that could be unjust. If a suspension is handed down in a State, it will be expected that all States honor the suspension.

But if a State does suspend somebody in a wrongful manner, there has to be some kind of committee in place to hold a hearing for the wronged party.

Since this bill is about health and safety, there is a very, very important aspect that we have not discussed before, and that is mandatory insurance that the promoters must provide.

In the packets that I have passed out, there is a questionnaire that I sent out to all the States with boxing commissions. I have about 30 answers out of the 44 States.

Surprisingly, there are seven States that do not require any amount of insurance. And for that to happen is such a horrible,

horrible situation, and we have to have something in this bill requiring some kind of medical insurance.

In the State of Nevada we have on a per-bout, per-fighter basis, a \$50,000 insurance policy. In the smaller States, where they do not have as much boxing, that may be high, but there has to be some kind of amount we must talk about.

There are States that do not require ambulances at ringside. I think that we have to address that. It is a criminal problem, and we must have the medical help at ringside, and have the ambulances there.

All the States have a requirement that doctors are at ringside, and everybody that answered my questionnaire did say that. So that is very, very good.

We in Nevada believe in this bill completely, and we will do anything and everything to help make this bill for the health and safety of the boxers and the sport of boxing become a working reality.

As I said, I handed out a questionnaire that you have in your packet. I also have a result sheet that, as we go further on into this hearing, I will go over with you, that details, if there is a fighter who is hurt, how we suspend them, and how these results go across the country.

As in the Julio Cesar Chavez/Meldrick Taylor fight, Meldrick Taylor was suspended for 30 days. That means he cannot fight anywhere in the world that has some kind of commission for the next 30 days. And this result went out Monday morning, directly after the fight.

So, once again, I am delighted to be here. I will be happy to answer any questions that I can from anybody here. That is my opening statement.

Senator BRYAN. Mr. Ratner, we appreciate the comments.

[The prepared statement of Mr. Ratner follows:]

PREPARED STATEMENT OF MARC RATNER

My testimony today will be as the Executive Director of the Nevada State Athletic Commission and the Vice-President of the Association of Boxing Commissions. At the ABC Convention the bill was endorsed by the membership. We agree that a state must have a commission or has entered into an agreement with a state boxing commission of another state. The idea of an identification card of some kind is very important. Reporting boxing match results in a timely manner and reporting suspensions on these results is one of the most significant requirements of this bill.

We believe there must be some type of grievance procedure for suspensions that could be unjust. If a suspension is handed down in a state, it will be expected that all states honor this suspension. If a state does suspend somebody wrongly, then there has to be some kind of committee in place to hold a hearing for the wronged party.

Since this bill is about health and safety there is one aspect that I would like to add, that is some kind of mandatory medical insurance that states make the promoters provide. There are 7 states that have no insurance requirement at all. There are 6 states with under \$5,000 medical insurance, this is too low of a figure. I believe this bill must address this issue. All states have a requirement that Doctors be at ringside, but 7 states have no requirement for an ambulance, this should also be addressed.

We in Nevada believe in this bill and will do anything and everything to help make this bill for the health and safety of the boxers and the sport of boxing become a working reality.

I am handing out a questionnaire that I sent to all states and the comparable answers that I received from them. For your edification I am also handing out a copy of the boxing results from last Saturday night that were reported Monday morning.

Health and Safety Comparison Among States¹

[As of September 1, 1994]

State	Required amount of insurance	Doctors required at ringside	Paramedics or ambulance at ringside	HIV testing required	Random drug testing
Arkansas	0	Yes	Yes	No	No
California	\$20,000	Yes	Yes	No	Yes
Connecticut	2,500	Yes	Yes	Yes	Yes
Florida	2,500	Yes	Yes	No	Yes
Hawaii	20,000	Yes	Yes	No	Yes
Idaho	(?)	Yes	Yes	Yes	Yes
Illinois	10,000	Yes	Yes	No	Yes
Indiana	0	Yes	Yes	No	No
Maine	(?)	Yes	No	No	Yes
Maryland	5,000	Yes	Yes	No	Yes
Massachusetts	1,000	Yes	Yes	No	No
Michigan	1,000	Yes	No	No	Yes
Minnesota	0	Yes	Yes	No	No
Mississippi	0	Yes	Yes	No	No
Missouri	25,000	Yes	No	No	Yes
Montana	(?)	Yes	Yes	No	No
Nebraska	0	Yes	Yes	No	No
Nevada	50,000	Yes	Yes	Yes	Yes
New Jersey	20,000	Yes	Yes	No	Yes
New Mexico	10,000	Yes	Yes	No	Yes
New York	20,000	Yes	Yes	No	Yes
Ohio	1,000	Yes	No	No	Yes
Oregon	20,000	Yes	No	Yes	Yes
Pennsylvania	0	Yes	Yes	No	Yes
South Carolina	(?)	Yes	Yes	No	Yes
Tennessee	0	Yes	Yes	No	No
Texas	20,000	Yes	Yes	No	Yes
Wichita, KS	5,000	Yes	Yes	No	No
Washington	10,000	Yes	No	Yes	Yes
Wisconsin	500	Yes	Yes	No	No

¹ Source: State of Nevada Athletic Commission² Indicates medical insurance is required by the minimum amount required was not indicated

BOXING SHOW RESULTS—NEVADA STATE ATHLETIC COMMISSION

Commission members: Dr. Elias Ghanem; Nat Carasali; Luther Mack; Dr. James Nave; and Chrispin Rivera.

Date: September 17, 1994.

Executive director: Marc Ratner.

Referees: Bayless, Cortez, Halpern, Lane, Nady, Padilla, and Steele.

Judges: Martin, Castellano, Ford, Giampa, Moretti, Ross, Roth, Shirley, and Smith.

Timekeepers: Bisek, Broadfoot, and Cavin.

Ringside doctors: Game, Capanna, Voy, and Signorino.

Ring announcer: Jimmy Lennon, Jr.

Promoter: Don King Productions, Inc.

Matchmaker: Peyton Sher.

Location: MGM Grand Garden Arena, Las Vegas, NV.

Contestants	Results	Social security No	Rounds	Date of birth	Pounds	Remarks
Julio Cesar G. Chavez Culican, Sinola, Mexico versus Meldrick Taylor Cherry Hill, NJ	Chavez won by TKO 1:41 of the 8th round ¹	None	12	07/12/62	140	Suspend Taylor 30 days. No contact 21 days.
Juan Martin Coggi Capitol Federal, Argentine versus Frankie Billy Randall Warren, OH	Randall won by unanimous decision ²	None	12	12/19/61	140	Suspend Coggi 45 days. No contact 30 days. Coggi-Randall—108-116; 108-116; 109-115.
Felix Tito Trinidad Rio Pedras, Puerto Rico versus Luis Ramon Campas Chula Vista, CA	Trinidad won by TKO 2:41 of the 4th round ³	583-71-2739	12	01/10/73	146½ ..	Suspend Campas 45 days. No contact 30 days and lacerations are cleared by doctor.
"Jesse" James Leija San Antonio, TX versus Gabriel Ruelas Van Nuys, CA	Ruelas won by unanimous decision ⁴	None	12	07/08/66	130	Suspend Leija until right eye laceration and right ankle are cleared by doctor. Leija-Ruelas— 108-116; 109-115; 111-115.
Gianfranco Rosi Perugia, Italy versus Vincent Pettway Baltimore, MD	Pettway won by KO 2:59 of the 4th round ⁵	None	12	08/05/57	154	Suspend Rosi 45 days. No contact 30 days.
Ricardo Nava Lopez Mexico City, Mexico versus Yodsing Au Saengmorokot Bangkok, Thailand	Lopez won by TKO 1:53 of the 1st round ⁶	None	12	07/25/66	140	Suspend Saengmorokot 45 days. No contact 30 days.
		None		09/15/76	140	

¹ Chavez retains WBC Super Lightweight title ² Randall wins WBA Junior Welterweight title ³ Trinidad retains IBF Welterweight title ⁴ Ruelas wins WBC Super Featherweight title. ⁵ Pettway wins IBF Junior Middleweight title
⁶ Lopez retains WBC Strawweight title.

QUESTIONNAIRE

1. Does your state allow a fight to last more than 12 rounds?
Yes No If yes, how many
2. Does your state use the 10 point must scoring system?
Yes No If not what do they use
3. Does the referee score the fight?
Yes No
4. Does your state have a three knockdown rule?
Yes No
5. Does your state have a mandatory 8 count on a knockdown?
Yes No
6. Does your state have a standing 8 count?
Yes No
7. Can the bell save the fighter in any round?
Yes No OR only in the last round
8. Does your state allow any cut solutions besides Avetine, Thrombin, or Adrenaline 1/1000?
Yes No
If yes, what do you allow
9. If there is an accidental butt and the fight is stopped when does your state go to the score cards?
10. Does your state score the round if an accidental butt occurs and the fight is stopped?
Yes No
11. On intentional fouls does your state deduct two points?
Yes No
12. When do you hold the Weigh-In?
24 Hours before the event
Day of the fight
How many hours before the fight
13. Does your state allow any size gloves besides 8 or 10 ounce thumb attached.
Yes No If yes, what size
14. If the mouthpiece comes out during a round when is it put back in? During the first break in the action?
Yes No OR At the end of the round?
15. Does your state allow toughman contests?
Yes No
If yes, do you use your state rules?
Yes No
16. Does your state mandate medical insurance for the fighters?
Yes No If yes, what is the minimum amount required
17. Does your state allow a fighter to fight with a surgically repaired detached retina?
Yes No
18. Does your state have random drug testing
Yes No
19. Does your state test for anabolic steroids?
Yes No
20. Does your state test for the HIV Antibody
Yes No
21. Does your state test for Hepatitis B?
Yes No
22. Does your state mandate medical doctors at ringside?
Yes No
23. Are there Paramedics or an ambulance at the fights?
Yes No

State Commission:

Name:

Mailing Address:

Telephone:

Fax:

Please return to: Marc Ratner c/o Nevada State Athletic Commission, 2770 S. Maryland Parkway, No. 314, Las Vegas, Nevada 89109.

Senator BRYAN. We are going to get into some questions and answers after the rest of the panel has a chance to make their comments, so we will ask you to stay in place.

Mr. Holladay, it is nice to have you with us today, sir. Thank you for coming on up.

STATEMENT OF JOHN H. HOLLADAY, JR., CHAIRMAN, SOUTH CAROLINA STATE ATHLETIC COMMISSION

Mr. HOLLADAY. Thank you, Mr. Chairman, and other members of the committee.

I am John Holladay, and I am chairman of the South Carolina State Athletic Commission. I am not only happy to be here, I am happy to be anywhere.

Senator BRYAN. I think the committee will endorse that. Even with the disagreements we have had, I think we will take, as the court does, a judicial notice of that position, and embrace it fully, will we not, Senator McCain?

Senator MCCAIN. Absolutely, Mr. Chairman. [Laughter.]

Mr. HOLLADAY. The other two panelists are from a large boxing State, Nevada, which I think has more than any other State in the country.

I am from South Carolina. We do not have very many quality fights. We do have a number of them, but they are second-rate fights, and we have weak promoters that cannot do some of the things that promoters can do in the largest States.

Most of our boxers are uneducated, and are naive, and they are depending on the promoters and the managers to protect them and to guide them correctly, and they are letting them down.

They are throwing them to the wolves, because of the fans, just like back in the ancient Roman days, when they put gauntlets of their fists, so that they could make people bleed, and caused boxing to disappear. And throughout the years, the fans have been the major problem, because they want blood.

The promoters and managers artificially build records of boxers by matching them or overmatching them with people who I am going to call nobodies today. They probably would not appreciate it.

And you have early knockouts, the first or second rounds. Sometimes I see boxing cards where almost all the fights end in the first or second round. And that happens even in the large boxing States.

We tried to control a couple of cards in South Carolina put on by Madison Square Garden, and I personally got into the business of screening the fighters, and we had 13 matches one night that went the distance.

The fans did not like that at all, the promoters did not like it, but we had an even—nobody was overmatched that night. And that was probably overdoing it.

We find that promoters will advertise two top-notch boxers, and they sell the tickets on that basis. They get right down 2 or 3 days before the fight, and one of the boxers announces he cannot show up. I think a lot of times that is deliberate.

So, then they go out and pick up another one of these nobodies, put him on the card, he gets knocked out, and that boxer who won has another knockout on his record, creating an artificial record.

North Carolina is our sister State. They do not have a commission. A lot of boxers who come into South Carolina are from North Carolina. We have trouble verifying their records. We do not know

whether they got knocked out last week when they came to South Carolina or not.

We require boxers to have a license in their home State, but we cannot require them to have one from North Carolina, since they cannot get one up there. So, we do not know really what we are doing with our sister State there, unless the promoters or some of us happen to know who the boxers are.

I say that we do need to have a commission in every State or a regulatory body, as some of the promoters in North Carolina are contracted with us to go up there and oversee their fights, so they can be reported to the registers.

We are talking about professional boxing, the conventional type that most of us know about. The off-the-street boxing, the tough man that you saw on TV, is something that worries me.

And we have regulations on it in South Carolina, but we cannot tell who all of the people are. No one who has more than five amateur fights can participate in this type of event in South Carolina.

But we have people that when we finally are able to find out something about them, we find they have 120 or 130 amateur fights. They should not be in there with these people off the street.

We find that some of them are being trained by professional trainers, just to go into this type of thing. Some of the events in the country, I understand, pay \$50,000 or \$100,000 purses. And that certainly is not amateur.

Then we have kick boxing. We cannot control that. We cannot find anything anywhere about kick boxing. And most of the things that come to South Carolina will be under some kick boxing association.

Well, upon checking out that association, there will be only one person in it, and that will be the president. He is also the world champion. He is also on the card boxing in South Carolina.

The man he is boxing is probably the promoter. And we are in the process now of making regulations so that the promoter cannot box on his own card.

But everybody in a kick boxing event usually gets hurt, and that is because we do not know anything about it. And we cannot verify it.

And then there is female boxing. That is getting to be popular. We do not need to overlook that. We wrote regulations for female boxers.

First, we said they had to comply with the same rules as the men boxers, which was to wear a protective cup, and they did not like that. So, we said they did not have to wear a protective cup, but they had to wear breast protectors. They have agreed on that.

We had them wearing 10-ounce gloves. They objected to 10-ounce gloves, so we had to go back to 8-ounce gloves, like we do with men. But they get hurt. Some of them are vicious ladies, and some of them are not.

Senator BRYAN. I am not going to touch that line. [Laughter.]

Mr. HOLLADAY. Well, we need to be able to check out all this type of boxing. Anything that puts on gloves and gets in the ring, we need to be able to control.

We had a young man that we did everything we could to check him out. Right after the fight, which he lost, he went to the dressing room and collapsed on the floor.

We found out later he had had a hematoma, which I understand, that is a brain hemorrhage, and he's now a vegetable. We could have stopped that if we could have found out about it, if he had been in the national register.

We had one that had drugs. We do not test everybody, because we do not have the money to. But I stood there and held the bottle while he filled it up, and then took it out and had it tested.

We suspended him and sent it out all over the country. I understand he boxed every month from then on. As far as I know, he is still boxing.

We need some type of regulation, and I support almost everything that I have heard anybody come up with. Some is better than the others. I think this legislation is a start. If we can get some teeth into what the Association of Boxing Commissions do, I would love it.

And I have talked more than 5 minutes, and I am sorry. I will stop now.

Senator BRYAN. You have come a long way, Mr. Holladay. We appreciate it. We gave you a little bit extension of time. We appreciate you being here.

[The prepared statement of Mr. Holladay follows:]

PREPARED STATEMENT OF JOHN H. HOLLADAY

As we may have suspected the Summerians, who lived in what is now Iraq, are believed by many to have invented the sport of boxing more than 5,000 years ago. More conservative authorities concede that boxing was organized and accepted when it was first introduced into the Olympics of ancient Greece in 688 B.C. Those boxers wore leather coverings to protect their hands and they wore protective headgear. These ancient Greeks placed great emphasis on boxing skills. They tried to make the sport safe and honest. But the spectators eagerness to see blood brought about cheating and brutalization.

The Romans introduced an iron-studded gauntlet that could even kill an opponent. Boxing became so bloody that it disappeared in second century A.D.

Boxing has been reintroduced and outlawed many times since then. The first real step to make boxing safe was in England when the Marquis of Queensbury Rules were introduced in 1860. These rules which were adopted in the United States in 1880, required gloves, three minute rounds and ten seconds rest after a knockdown, prohibited wrestling, spiking, biting, gouging, strangling, etc.

In the years that followed efforts have been made to clean up boxing and make it safe. It has been banned in some states only to flourish illegally because the fans wanted it to be bloody and brutal.

Modern efforts to clean up boxing began in 1960 when Senator Kefauver held hearings followed by legislation in 1961 and 1962.

Boxing is a dangerous sport and some people who call themselves boxers have virtually no skills. They don't even seem to know that if they get hit, they can get hurt. Many promoters and managers take advantage of these boxers who are often uneducated. They are expecting help from the very people who are sacrificing them to the wolves for the fans.

Promoters and managers often artificially build a boxer's record by matching him with weak nobodies. Sometimes boxing shows, even in the major boxing states, will have numerous if not all matches end with early knockouts. These farces don't just happen. Most of the time they are expected and, I think sometimes planned.

Often a promoter will advertise a boxing match between two top notch boxers, both of whom have good name recognition. Just before the fight the promoter will announce that one fighter, not the one on contract to the promoter, cannot participate. Then a nobody is signed and the promoter's boxer has another early knockout win on his record.

Many boxers who come to South Carolina expecting to box live in North Carolina. North Carolina does not have a state commission or board to regulate boxing. Some cities in North Carolina have boxing commissions but few regulations.

The absence of regulations in North Carolina presents a major problem for regulators in South Carolina. Often it is impossible to properly identify boxers. Most of the time the boxer's record is difficult to verify because the results of matches may not be reported to the boxing registries. Boxers can be knocked out one day and there is no way that a regulator can know about it.

The South Carolina State Athletic Commission suspended one boxer because he tested positive for HIV. We understand that this boxer participates in boxing matches in North Carolina. We know that he has boxed in at least one state that has a commission and should be honoring South Carolina's suspension.

Another problem is that some of the states that are regulated will not honor other states suspension of promoters or managers. Some of these people are major contributors to the problems. Some of the promoters and/or managers will misrepresent boxers identities. Some won't pay boxers promptly and sometimes not at all. Most promoters and all managers will deliberately overmatch opponents of their contracted boxers.

In addition to conventional type boxing, I am concerned about what we call "Off The Street Boxing" (Tough Man, Bad Man, Meanest Man, etc.). Many of these contestants have no experience and have rarely trained for the event. Even though South Carolina has regulation for "Off The Street Boxing" it is difficult the control. Recently an amateur boxer, who had over 100 matches, tried to participate in an "Off The Street Boxing" show in South Carolina even though regulations are clear that a participant cannot have had more than four amateur boxing matches and no professional matches. The Commission was lucky to catch this.

"Off The Street Boxing" is dangerous. It is a tournament in which the winners get paid. It is quasi professional. All participants should be registered with the approved boxing registry after the tournament.

The following specific suggestions or comments are offered to Professional Boxing Safety Act (S. 1991)

SEC. 2—DEFINITIONS

(3) This section should make clear that the act covers "Off The Street Boxing". Perhaps the word "prize" accomplishes this.

SEC. 6—REVIEW

(1) In the evaluation the boxer should be graded. This would help promoters in matching boxers and would be of great assistance to regulators in preventing mismatches.

SEC. 7—REPORTING

(a) The grading after the evaluation in Sec. 6(1) should be reported to the registry and included in any report received from the registry.

Many bills to assist in regulating boxing have been introduced in the last thirty-four years and I would have supported most of them. S. 1991 is perhaps the most simple and cost free bill that I have read. I strongly urge this Committee to report favorably on S. 1991.

Senator BRYAN. Dr. Homansky, it is nice to have you with us here today as well. You have come even a little bit further.

STATEMENT OF DR. FLIP HOMANSKY, CHAIRMAN OF THE STATE OF NEVADA ATHLETIC COMMISSION'S MEDICAL AD- VISORY BOARD

Dr. HOMANSKY. Thank you. Well, actually, I came about the same distance. I was fishing off of South Carolina when I left to come up here. But we are all busy.

And I echo what everyone else has said. You all are very busy, but you all have given your time to work on this bill. And I think the reason we are in this room today is because we care. We care about the sport, and we care about boxers. So, I appreciate the floor.

I will give a little background on myself. I am a double-boarded medical doctor. I first started ringside in 1980.

I was appointed by you, when you were the Governor of the State of Nevada, approximately 6 years ago, 7 years ago, as the chairman of the Nevada State Athletic Commission. I have had the truly wonderful opportunity to officiate at more world title fights than any other physician in the world. I appreciate that opportunity.

I am also the chief medical officer for the North American Boxing Federation, and I am on the board for the IBF and the WBC. In June I was the coordinator and the moderator of the IBF medical seminar.

And, Senator Bryan, you were kind enough to address that organization, and I think you have helped get the ball rolling in that world organization's mind. I do think the world organizations have tried to approach this problem in their own way.

The problem is that they really only deal with world title fights. They have nothing to do with any fight that is not a title fight, and they are constantly dealing with internal political issues. So, my own feeling is that the world bodies cannot address the issues we have before us today.

The bill that you all have proposed can address the problems that Mr. Holladay has brought up and the problems we have seen on the tape. I think the bill can work.

The teeth it will give to the ABC, the direction it will give to the States with commissions, and the direction it will give to those States and how they will deal with the States without commissions will go a long way toward helping with the medical safety issues we are all here about.

As to anyone who has witnessed a boxing match, it is inherently brutal. It is inherently dangerous. But it is also the ultimate competition. It is the ultimate physical ballet. It is something that is a very special entity.

When you see young fighters get into the ring, it is frequently the spirit of that fighter that determines who will win, not the physical attributes. And it is somewhat unique in that.

The guys that I have dealt with, for the most part, are really a delight. I have dealt with professional baseball players, basketball players, and tennis players, and give me a boxer any day. They are polite.

Senator McCain, you went back and met some of the fighters. These are real guys. They appreciate our efforts. And for the most part, they are gentlemen. And, again, that is why we are here.

I am briefly just going to go over some safety issues, as pertains to the physician in the State of Nevada. We currently have 10 physicians, 7 down in Las Vegas. We have just added two new physicians.

Our physicians work on an apprentice system, where they start in the amateurs. When they get to the pros, they always work with another physician for a period of time to gain experience. All of our physicians are CPR certified, and all of our physicians are proficient in airway management.

There was a problem to arise in terms of helping someone breathe after a seizure, or for whatever reason. We expect our phy-

sicians to be proficient. We predominantly go through a course by the American Heart Association on advanced life support for that.

Our physicians have to be able to work with our commissioners, with our inspectors, and with our corner men. But they most especially have to work with our referees. It is critical in any fight that the physician and the referee are a team.

They need to discuss whatever issues that might come up before that fight. They need to have a working relationship before a fight.

The referee is in charge in any match. And I personally think that that is the toughest position in all sports, that is, a boxing referee. So, our physicians help educate the referee, they work with the referees, and they are there to confer with the referees at any time.

Every fighter is obviously checked approximately 24 hours before a fight. What we also do is have them sign a medical release, so we can obtain information.

We have them fill out a medical history form that tells us of any pertinent injuries, any lacerations, any medicines they might be on, any cuts they might have sustained. It is a quite helpful medical questionnaire that we obtain.

At every fight we have at least two doctors. And the reason for that is a fighter is examined again after every fight, back in the dressing room. After the fight we do not forget him.

We can have that fighter remain in his dressing room for 30 minutes or an hour, or whatever, being watched by his manager, and then we can go back and check him there. And that is very advantageous.

We can also send a fighter to the hospital at anytime for any indication. And then our physicians are on staff at the designated hospital, so that they can manage and coordinate the care.

After the fight, the doctors will confer with the executive director, with Marc, and determine what suspension is appropriate for each fighter. That suspension could be for a laceration. The suspension could be until an x-ray was obtained.

A physician could ask for a CAT scan, and then a reevaluation before a suspension is determined. But the suspensions are critical, and through this bill, those suspensions will carry a lot more weight.

We have an ambulance at all of our fights, as Marc mentioned. In addition to the ambulance, we need to know who the attendants on that ambulance are.

At least one of them needs to be a paramedic, a paramedic who can give drugs, assist with oxygen, assist with their mobilization, and assist with airway management. Simply EMT's cannot fill the bill.

We do do random drug screens at all of our fights. And I know the difficulty. We also do not check every fighter. And I do not think you have to check every fighter. But they must know that when they come into your ring, there is a strong possibility that they can be checked for drugs.

We were the first State, and to my knowledge, the first organization to check every fighter yearly for the HIV virus. And I know that is a point of contention, and I know we can spend a long time

talking about that, but our State already had a regulation on contagious diseases.

And that is really what it fell under. And the fighters themselves are very happy and satisfied with how this has gone. So, yearly, any fighter that comes into our State will have an HIV test. We also have in place, if a positive comes back, a program for education and health for that fighter.

We also have a program in place for fighters over 36. Any fighter, age 36 or over, will have another set of tests required of him, will be evaluated by a set of physicians, and from that, a recommendation will be made to our commissioners, and it will be ultimately their decision whether someone over the age of 36 can obtain a license.

I hope I have at least given you a little bit of a background and a little feel for our medical approach. And, again, I thank you for this opportunity. I appreciate the efforts you have put into the bill. Thank you.

Senator BRYAN. Thank you very much, Dr. Homansky. We appreciate your testimony, and also your dedication to the sport itself, which has been longstanding for many years.

Marc, let me begin with you, since you really kind of wear two hats, and one is the vice president of the ABC, and the other is the executive director of the Nevada Athletic Commission. Let me start with this past weekend. This was a busy weekend for you; was it not?

Mr. RATNER. The whole week was very busy. Starting on the 10th of the month, we had six fights in about 8 days. We had one fight in a little town called Laughlin and one in Lake Tahoe.

Then we had four fights in Las Vegas, culminating with the six world championship fights, which has never been done before in the history of boxing, to have six title fights on one card. We had one of the greatest weeks we have ever had in our State.

Senator BRYAN. Now, if this system that Senator McCain and I have incorporated into the legislation works out, maybe you can take us through how it works with respect to updating information in the aftermath of a fight.

You, in effect, compile data, as I understand it, indicating what type of suspension, if any, might be in order, based upon what occurred during the fight. I do not mean to suggest suspension. And I think the record ought to be clear, we are not talking about misconduct.

Mr. RATNER. That is correct.

Senator BRYAN. That is a terminology we frequently hear. We are talking about a medical suspension, in effect, based upon the condition or a circumstance that occurred that you deem medically prudent, that a fighter not fight in a period of 40 or 45 days.

Maybe you can share for the record how you handle that, and how that would work into this integrated national system we are trying to set up.

Mr. RATNER. After each fight, as Dr. Homansky mentioned, we confer, and he will say, "I recommend that this fighter be suspended for 30 days, no more fights; 21 days, no contact."

At that time, on the bottom of the score sheet, we have a score sheet where we keep score, we actually tabulate the score, we put that on there.

Then on the next business day, if it is a Saturday, on Monday morning, we type out this boxing show results sheet, which I believe you have up there. You will see on there, you will see the six title fights. Let us go to one we have not discussed, Jesse James Leija and Gabriel Ruelas.

And in the remarks section it says, "Suspend Leija until right eye laceration and right ankle are cleared by the doctor."

So, that means it is an indeterminate time. The next time he fights, before he can fight in any State, he must have that right eye looked at. So, if he goes to his home State of Texas, they have this sheet.

Now, we fax this sheet out on the Monday after the fight to the central depository, where we report right now, which is—it called Fight Fax.

We also send it to a result—there are three or four different bookkeepers that we send the results to and to major States. And we send these out so that no fighter who is under a medical suspension can fight in a regulated State.

So, the most important thing about this is that it must go out, no matter how busy any State is, within 48 to, I guess, 72 hours, at the very, very out, but they must take the time, the commission, to send these out to the different reporting bodies, so that Jesse James Leija will not fight somewhere with a cut eye, or Meldrick Taylor, who has taken a beating, will not fight within the next 30 days.

Senator BRYAN. Now, with regard to this registry, all States who have commissions would have access to the data; correct?

Mr. RATNER. Yes. Any State would have access to this. It is sent out. I tried to talk to major boxing States. I probably talked to 10 to 12 States that we just, on a personal basis, are saying what happened here, when they get our results. We go over them.

Senator BRYAN. Now, the 44 States who have, by law, established boxing or athletic commissions, how many of them belong to the ABC?

Mr. RATNER. I believe at last count there were 36. So, it is not 100 percent, but it is pretty good. And out of those 36, on my questionnaire I got 30 answers back, so my questionnaires were pretty well received.

Senator BRYAN. Now, would you describe your relationship with the sanctioning bodies? The sanctioning bodies have been mentioned, and, indeed, they represent only a relatively small percentage of the fights that are held in this country each year.

What is the relationship of the Nevada Athletic Commission to the various sanctioned bodies?

Mr. RATNER. The relationship is a very, very strong, fine one. In most States they do not have the title fights we do, but with the amount of world championship title fights, we do work with the different sanctioning bodies.

And I am very, very happy to announce that last Saturday, at this major fight card, we had the president of the IBF, the WBC, and the WBA all sitting together at ringside, which is almost un-

heard of anyway, and through separate meetings with my commissioners, we have set up a summit meeting, I guess we can use those words here in Washington, but a meeting of the three presidents—

Senator BRYAN. A boxing summit. We may have one of those of our own someday here.

Mr. RATNER. There will be a boxing summit meeting at the end of October. I am not sure of the location yet, but possibly out of the country.

We are going to, actually, with the Nevada's Athletic Commission's lead, try to standardize a couple of the rules that are so different in each different sanctioning body.

And just to let you know, there is what they call an accidental butt rule. A couple of the organizations, they had a third-round rule, and one organization, it is in the sixth round.

If a cut happens before that round, then it is a technical draw. What we want is the same rule throughout the world. And this is one thing, I think we can make these people agree, with our help, and it will be a start maybe in standardizing the rules internationally.

I am just as proud as heck to announce that we are going to lead this and have this happen, hopefully, by the end of October.

Senator BRYAN. Mr. Ratner, thank you very much.

Let me ask a couple of other questions before yielding to Senator McCain for his questions.

Mr. Holladay, I am informed, I hope correctly so, that you are an amateur fighter yourself.

Mr. HOLLADAY. I was an amateur fighter. I trained with some professionals.

Senator BRYAN. You have had a lifelong interest in the fight; is that right?

Mr. HOLLADAY. Yes. I was never good as I thought I was, and I was always better than other people thought I was.

Senator BRYAN. Well, my father had that experience. Unfortunately, it was nothing genetic. But I mean I grew up on his recitals of how Louis Angelo Ferkel had knocked Dempsey out of the ring, and the newsmen in the ring put Dempsey back into the ring, and he knocks him out.

That was what I was regaled on in my childhood. My father loved fights. So, I wish he were here to engage in this discussion today.

Mr. Holladay, you represent a small State, in terms of the number of fights. How does this concept that Senator McCain and I are advancing, in terms of this central registry, minimum standards, the identify card affect the events in the resolution of events in your State?

I take it, without being critical of your good State, that you may not have a lot of funds, in terms of conducting your activities. How does that help you out?

Mr. HOLLADAY. Well, I think it will help us tremendously, because our neighboring State, North Carolina, does not have a commission. Most of the things that they mentioned that they do in Nevada, we do. We do not test everybody for HIV, and we do not have a paramedic. We just have the EMT's there.

We have a little different rule on the accidental butt. If it is in the first or second round, it is no contest. After the second round, it goes to decision. But we would be happy to standardize it anyway.

We find that the promoters need to be able to contact the registry, and have all the boxers on the registry. And I say promoters, because in the beginning, in a small State, we do not really have the ability or the funds to do our own investigating, which we are now doing, but the promoters could check, and if there were some type of grading, and I do not mean ranking, I am opposed to ranking, but I think boxers ought to be graded, with a 95, a 65, or 100.

And you could say not more than 10 points variance should be between the boxer's gradings for a promoter to put him on the card, unless the commission approved a wider spread.

We would cut out a lot of mismatches. We would also cut out a lot of people that had strings of 35 wins and 0 losses, too.

But I think this approach that Senator McCain has would be certainly a good place to start. And if it did not work, then you could always add things to it. As I said earlier, I support any legislation that will control boxing.

We, in the last 2 years, have put our commission under the department of labor in the State. They do not control us, but we have been able to use their money, and so now we have more investigators, we have more clerical help, and we think we are going to be able to do things the way they ought to be done. We have always had the ability, or the means, or the rules, but we just have not been able to do everything.

I think this is great, and I am all for it. I will do whatever I can to get it through.

Senator BRYAN. Both as an emergency room physician and a ringside physician, is there any organization, informal or otherwise, of people like yourself, who are ringside physicians in other States—maybe they do not have a medical advisory board, as we do in Nevada. Thank you, parenthetically, for accepting the appointment. You have served with great distinction. We appreciate that—but any forum where you all get together?

I mean, you are taking this now to a level of medical expertise, which is critical in establishing health and safety standards.

Give us some flavor, if you will, of what kind of discourse there is among ringside physicians in other States, in terms of developing a consensus as to what needs to be done to protect the physical health and safety of the fighter.

Dr. HOMANSKY. Not enough. Not enough. And I think that could also be done under the auspices of the ABC. I was actually at the first ABC meeting, I believe in 1984, in Houston, but they really did not take much of an interest in the medical aspects back then.

Right now, there is fairly frequent contact between myself, the chief physician in California, and the chief physician in New York. And we discuss fighters.

George Foreman, in particular, is going to be fighting in Nevada in November, and he was examined up in New York initially, will be reexamined in Nevada. And that data is shared.

But I do think it would be very important that physicians in all the States would be comfortable calling the physician that was in charge of a fight where a combatant is going to be.

I think it would be very good if a State has a question or wants some direction, that there would be a medical panel that they could get in touch with.

But as to your question: Is there something in place now? No, sir, there really is not.

Senator BRYAN. I am going to yield to Senator McCain. He has been very generous to forebear while I have been asking some questions. And then we will have another round.

Senator.

Senator MCCAIN. Thank you very much, Mr. Chairman.

And I would thank the witnesses again.

I would first of all like to ask Mr. Ratner: Is it possible, Marc, for an event, such as you saw just then, to take place in Nevada, Las Vegas?

Mr. RATNER. The event you showed on television? Absolutely not. I actually had a call about something similar to that, and I said that my State would never let it happen and do not even call us. And that is why they went to an unregulated State, which really is terrible.

Senator MCCAIN. How would we prevent such an event from taking place in any State in America without passing some law to prohibit it?

Mr. RATNER. I do not think you can. I think we have to have some means—well, first of all, I hope, with the ABC's help, that it would never be in a commission State.

I do not know, without some kind of help, how I can stop the State of Colorado or the State of North Carolina from doing it. I do not know if we have the vehicle to do that without some kind of law.

Senator MCCAIN. I am thinking out loud here, but perhaps if this legislation said something like, "A contest could not take place unless there was a commission in that State or from another State"—you know, it is already in the legislation—but instead, to say that they would be prohibited from having the agreement of another State's boxing commission, although that could lead to another State's boxing commission allowing it.

But unless it were supervised by a boxing commission from another State, at least that would cut down on the likelihood. Do you not think?

Mr. RATNER. What we do not want is for something like that to go on anywhere. I do not know the legal mechanics of how to stop it, but I can almost say that any of the regulated States would never have that.

You are asking for legal problems, medical problems, and it is just not sport. That is not what we are about.

Senator MCCAIN. Mr. Holladay, do you have any views?

Mr. HOLLADAY. I do not know how you would stop it either. That is a weird looking ring they have. If somehow they had to follow generally the rules that other boxers do, with a few special things, like 1-minute rounds and having to wear headgear and larger gloves and not let people have too many fights before they got into

it, but it would have to come, I think, from Federal legislation or something, because North Carolina is not going to have anything.

Senator MCCAIN. Mr. Chairman, maybe we can look at this legislation to try to prevent this.

Senator BRYAN. Yes. I quite agree, Senator, quite agree.

Senator MCCAIN. One of the things we have been trying to stay away from, largely due to the advice and recommendations of members of the ABC—and there are State boxing officials who we have contacted quite frequently—is to avoid a major new Federal bureaucracy, Federal intervention, and Federal mandates—but to give more authority to the State boxing commissions, both in reporting and in other areas.

But I am not sure how you stop these vicious, unregulated elimination contests unless you have some supervision or something done by the Federal Government. So, I would like you to think about some way we might be able to do that.

I just—it is obscene. Words escape me when I see something like that.

Marc, if we had a situation where—for example, on this questionnaire of yours, every single one of those fighters that fought on a card was suspended for a certain period of time.

Mr. RATNER. OK. Let us say that all fights went the distance, and we had to suspend all 12 fighters. Yes.

Senator MCCAIN. I think you suspended the losers. I do not think that you suspended any winners.

Mr. RATNER. It so happens in this case, the winners won, and they had no problems. But several times, we do suspend both guys, or sometimes the winner, he can be cut and the other guy not cut. So, anybody who needs medical attention will be suspended.

Senator MCCAIN. Today, without this legislation, what is to prevent Meldrick Taylor from going to Philadelphia and fighting tonight, after he was knocked out last week?

Mr. RATNER. Pennsylvania is one of my Association of Boxing Commission sister States, and they would certainly honor it.

Senator MCCAIN. They would honor it.

Mr. RATNER. Absolutely. There are some States that are not as good. Pennsylvania happens to be one of the ones who definitely would honor it. But once again, I could not stop him from going to Colorado or to North Carolina.

Senator MCCAIN. It seems to me that part of this legislation has to be that supervision, either from the State itself or from a neighbor State—

Mr. RATNER. Or a neighboring commission. Absolutely.

Senator MCCAIN [continuing]. Is critical.

Mr. RATNER. Now, one of the things the ABC really has made a part of their policy is that if a fight takes place in a nonregulated State, that those results do not count.

They would be fighting for absolutely nothing. It will not be shown in any of the world record books. It will just go down as an exhibition, and nobody wants to fight for—the fights will not take place, and people want to have their name in the books, unless it is strictly for money. And there is no money in it, if there is no recognition.

Senator MCCAIN. Is Flip the one that decides you should suspend Coggi for 45 days and Taylor for 30 days?

Mr. RATNER. Yes, the lead doctor. We have—there is one doctor who is the lead, and the other two doctors are the other ring doctors. And the lead doctor is the actual one.

Senator MCCAIN. Flip, you mentioned that there is an ambulance standing by.

Dr. HOMANSKY. Yes, sir.

Senator MCCAIN. How often have you had to use that?

Dr. HOMANSKY. We have used it a number of times on an emergency basis and a number of times on a convenience basis. Someone with a laceration that needs to be sutured could just as easily go by private car, but if we have the ambulance, we will take him over.

The distances are not that long, and we have a good relationship with the ambulance service. So, it is invaluable, to be very honest with you.

Senator MCCAIN. But there are certain cities in noncommissioned States—North Carolina, I heard, for example—that oversee boxing events with city employees and clearly without licensed—without physicians and medical services that are anywhere near the kind of effective organization that you have described. Does that bother you?

Dr. HOMANSKY. Well, sure, it bothers me. And I think that the issue with professional boxing will—most of these problems will be solved by this legislation.

The issues with the tough man are totally separate. In there, I think that the provision might have to be that if you want to address a tough man, then you are going to have to have strong language in there that it will—I mean, it will have to change everything.

It will have to be that you make it mandatory that a State, either as a member of a governing body, such as the ABC, or it uses one of their members, and then you have—you know that the ABC will control stuff like that. But if it is left open, then there is no way we can address the tough man.

I think the primary issue in front of us today is professional boxing. Hopefully, the other issues can be addressed, but we need to address professional boxing.

Senator MCCAIN. Mr. Holladay, do you find that you have sufficient funding to carry out your responsibilities from the State of South Carolina?

Mr. HOLLADAY. We are not able to do everything that we would like to. We require promoters to pay the officials, and we require the promoters to pay the physician. That creates a problem in getting physicians, because unless the State pays them, they do not come under the State's court action or are immune from suit.

So, they come under their own insurance policy, and some people do not like to do that. So, we do have trouble getting ringside physicians, but we have been able to get them. We do not always have but one, but—we are short on money, but we are doing better.

And as I mentioned, now that we have come under the department of labor, we have been able to get 45 inspectors or investigators or moderators or whatever—we have not decided what to call

them yet—and some clerical help and the person that we are going to call our administrator.

We have not had anybody to administer our program for—well, never, until this year.

Senator MCCAIN. You are in agreement, then, with Mr. Ratner that a minimum level of health insurance is necessary.

Mr. HOLLADAY. Yes. We require health insurance. We only require \$10,000 health insurance, but that is simply because we have not had time to raise it.

Senator MCCAIN. Well, he raises his point in his testimony that there are seven States that have no insurance requirements, six States with under \$5,000 medical insurance.

Would you be supportive if we voted in legislation that said there had to be a certain minimum level of insurance carried by everybody?

Mr. HOLLADAY. Yes. I would support it, but I would like to comment a little bit about insurance. That insurance is very expensive, and it is hard to find.

There are only three or four companies in the country that I know of that handle it. We got all of ours out of a company in—I forgot what State it is in now, but we have Nickerson.

And our small promoters have trouble paying for it. I would like to see the Association of Boxing Commissioners develop some national contracts on insurance, so that we could get a group rate or something. That would be something we would certainly support.

Senator MCCAIN. Let me just ask a question of the witnesses that pertains to this legislation, but—

Senator BRYAN. Sure.

Senator MCCAIN [continuing]. Put up that poster board, would you?

[A chart was shown.]

Senator MCCAIN. I am going to show you a couple of fighters' records that I know you are familiar with, that frankly I do not understand.

The one with a long string of losses. Do you have that? What is that guy's record there, 2, 32 and 1 draw? Is that—what is it?

STAFF. It's 2, 32 and 0.

Senator MCCAIN. Well, should a person be permitted to continue to fight that has a record of 2 wins and 32 losses? We had one, I think, in our last hearing in Las Vegas that had 3 and 99 or something like that.

He was well-known. Eddie Futch knew him by name.

Mr. RATNER. Right. I mean, it is very wrong of the promoters to even suggest to a commission to even approve a fighter such as this. And I do not like to see fighters that are very much under 500, let alone something like this.

But strangely enough, I was looking at the results in last night's Washington paper, and they had a fighter who was 15 and 0 fight a guy who was 0 and 2. And that should not happen.

I mean, there is a complete experience thing, and that is where the commissions have to be strong enough to say, whatever the promoter says, "We are not going to approve that kind of guy."

Senator MCCAIN. But if a guy came to you—I mean, if you saw a guy with that record, would you not be worried about his health?

Dr. HOMANSKY. Absolutely. I mean, Marc will not allow something like this to get that far. But we talk about these people when they are proposed. And there are ways that we deal with this, where we would require certain tests and put him through hoops that he would not be able to be licensed in this State. Medically, this is insane.

Mr. HOLLADAY. May I comment?

Senator MCCAIN. Yet he continues going to other States. That fighter today continues to fight in other States. Seven different States have suspended him, and he is over 40 years old. He has been KO'd or TKO'd 32 times.

Mr. HOLLADAY. That is terrible.

Senator MCCAIN. Would the fact that he had an ID card and would show up—obviously, he is not going to show up in Nevada, but he would go to other States—would that bring caution to the commissioners in other States, Mr. Holladay?

Mr. HOLLADAY. If he had—we require them to be licensed in their own State. If he did not have a license from his own State, we would not give him a license. And I cannot see whether he was knocked out or TKO's or what from here. But sometimes you can have—

Senator MCCAIN. He was KO'd or TKO'd 32 times.

Mr. HOLLADAY. Well, I would say he should not box again. But sometimes you can find a person that has lost a lot of fights, close decisions, to a good fighter, who may, say, have had 5 wins and 20 losses, and the person he is fighting might have 10 wins and 0 losses, but he has not fought anybody. So, this person could be much better and in much better physical shape.

I think it needs to be analyzed, and he needs to be examined. And you look at the people that he has boxed in order to tell what happened to him. But if he has been knocked out five times, he is through in South Carolina.

Mr. RATNER. What you are really saying is we need the States to take more direction and say, "No, he is not going to fight here."

And if he has been suspended anywhere, he should not be able to fight. That is where the States have been lax, and that is where the Association of Boxing Commission is going to have to be stronger and stronger to make these States honor these suspensions. That is very critical.

Mr. HOLLADAY. And I agree that any time one is suspended, we ought to keep him suspended. We ought to collect money from him, too. If he owes Nevada money, we ought to collect it before we let him box.

Senator MCCAIN. Well, I am very grateful for the testimony of the witnesses.

Mr. Chairman, as the witnesses know and you and I know, there is a lot of problems in boxing, the alphabet soup of championships, the consolidation of superior fighters in America under one or two promoters. And there are a lot of things, I think, that over time, maybe if you and I lived long enough, we could address.

But I do not see how we do that, to tell you the truth, because every piece of boxing reform legislation I have seen has been so broad that it has stalled—it has caused objections, and then it has gone nowhere.

And I would rather start small and try and get something done and see how that works, and then maybe you and I could revisit it a couple years later.

I know that there are many people—I hear from them all the time—who say, “Clean up the sport.”

Well, that is a laudable goal. But for us to anticipate that kind of far-reaching legislation will be passed by Congress, I think history shows that that is not going to happen.

So, perhaps we can begin small and build on that and recognize that there are models, such as in your State of Nevada. In spite of the fact that I think both these witnesses were appointed by you, they do an outstanding job. [Laughter.]

Senator BRYAN. Even a blind squirrel finds an acorn, Senator, once in a while. [Laughter.]

Senator MCCAIN. The fact is, we do have models. We have them in small States, like Mr. Holladay, and we have them in major boxing States, such as Nevada. And my own State of Arizona is starting to get more and more prominence, thanks to people like Michael Carbajal.

I just hope we can get something done as soon as possible. This proposal is one of the few pieces of legislation that I think we are addressing where we are really talking about peoples’ physical well-being being at risk.

And again, I want to thank you, Mr. Chairman, and I want to thank the witnesses.

Thank you all very much.

Senator BRYAN. Thank you very much, Senator McCain. I will be delighted to work with you on this and on other pieces of legislation.

I have to tell you of all of the boards and commissions that I appointed during the time that I was Governor, none, including the Nevada Gaming Commission—both of the Nevada members of the panel know occupies some interest in prominence in our State, but none, Senator McCain, required more of my time than the athletic commission, none.

I spent not as much time with all of the other commissions virtually combined as I did in terms of dealing with the athletic commissions. I remember the critical timeframe when Sugar Ray Leonard was coming out of retirement, I think, for the first time, and it was an ophthalmological problem.

And that became not just a local State, but that became an international, as you will recall, cause celebre as to whether he should be licensed to fight.

We had independent medical examinations, and I was very much involved, not in any of the selection process, but to make sure that that was done in a manner that would be consistent with protecting a healthy fighter.

A couple of comments, if I may, before letting the witnesses leave. I know a couple of you have planes. I do agree with Senator McCain’s observation. I do not favor Federal preemption.

But the history of the legislative process at the Federal level is that where a problem exists, the Federal Government abhors a vacuum.

And I see in the legislation that Senator McCain and I have put together not a panacea for all of the problems which he and I and others fully understand, but an important first step.

And I would say to my good friend Marc Ratner and Mr. Holladay and my good friend Flip that this, I think, may be the last opportunity for the States to regulate themselves with regard to this ABC process. And I do not say that in a confrontational or disagreeable manner.

But there is a problem that exists, and there is going to be corrective action taken. I much favor the approach that we have put together, because I have a bias, frankly, for letting the States undertake those problems, rather than this overreaching Federal bureaucracy, which concerns me with a preemptive Federal approach.

But I think it is important. I think the States need to understand that obviously we are kind of singing to the choir here with three very responsible people like yourselves. But, I mean, something is going to occur.

This will go beyond what Senator McCain and I contemplate, if action is not taken at the State level, through the ABC organization or some similar type of approach. We want to work with you.

Get those standards that you talked about, Flip, and try to exchange that information. But you should make it clear that if that is not done, then maybe this debate has to go to a different plateau which, frankly, I hope to avoid.

Let me just say I appreciate all of you coming a great distance. I am delighted to have you here and again acknowledge the support and leadership of my good friend here, Senator McCain, on this issue.

If there are no further questions coming before the hearing, we will stand adjourned. Thank you all very much.

[Whereupon, at 4 p.m., the hearing was adjourned.]

APPENDIX

PREPARED STATEMENT OF RALPH W. CITRO, RALPH CITRO INC.

It is my earnest opinion that there is no other national athletic activity that is more fragmented in nature than the sport of boxing, consequently continuing to jeopardize the health and safety of its participants with each staged performance.

To say that consistent, uniform reform and control measures should be implemented immediately to thwart that existing danger is by no means an exaggeration in judgment or comment without substance.

It has been apparent throughout the years that the sport of boxing is in dire need of repairs. A thorough overhaul is paramount, including; complete accountability (fighters, managers, promoters, matchmakers, corner people, judges, referees, sponsors, trainers, etc.), accurate record keeping, fair sanctioning, legitimate rating, unilateral identification-examination-qualification-verification, and most importantly a set of fortified rules that transcend state lines. The end results for all concerned, including the viewing public, would be well worth the effort expended and certainly deliver a knock-out blow to present industry critics once and for all.

You can see from looking at the whole picture, it's a business, a big-business that encompasses numerous individual personalities, and that in itself makes it (reform) a mammoth undertaking at best. And, in essence it further underscores the need for a single, stable governing body—a national commission and/or commissioner—to regulate the sport.

I believe the above personal observations are authentic and authoritative and are supported by over 55 years of substantive activity and accomplishment in the sport I love, Boxing. If I might briefly outline a segment of that activity it may help qualify me in your eyes, justify my critique and lend a healthy degree of credence to my statements.

My roots in boxing go back to 1938, participating as an amateur fighter. Since then I've viewed the sport from the inside as a manager, trainer, promoter, matchmaker and a corner man. Throughout the years I've had the good fortune to author boxing related material, own and operate three (3) different boxing gymnasiums, and currently am an active member of the WBC, WBA, IBF, USBA, and NABF. Additionally, as a working corner cutman I am presently nearing my one-hundredth (100) world championship fight in that capacity.

Recent peer recognition includes installation into the New Jersey Boxing Hall of Fame, and recipient (1993) of the prestigious James J. Walker Award by the Boxing Writers Association of America.

For many years my computer data base (established in 1982) has been recognized internationally as the premier source for accurate records of fights and fighters in every weight class of the sundry boxing organizations. I founded and edited "Computer Boxing Update," which I published continuously for the past ten (10) years.

Over the years I feel I've developed a sincere appreciation and understanding of the sport, and it is with humility and gratitude that I hope to apply that knowledge and expertise in a positive and productive manner; directed at general improvement within the industry and even more specifically, the health and safety of its participants.

In my opinion, a giant step in that direction would be the establishment of a federal (boxing) commission. It would constitute someone at the helm, consist of a deputy and possibly four (4) regional directors (inspectors) with well-defined geographical (US) boundaries. And, one or more additional designates to field international (Europe, Far East, South America) boxing related affairs.

Operational funding is quite simple and would be generated from within the industry itself, once the initial capital outlay is authorized. My mind set does not dwell on the funding, but the all-important human element, as to WHO will participate in structuring a formidable foundation with explicit guidelines required for meaningful accomplishment.

Obviously it would not only require input by informative individuals from several different areas, but input from sincerely dedicated individuals who are devoted to the cause at hand, without a vested interest in the status quo.

Tantamount to success for any vanguard structuring body, would require the highest degree of veracity and total objectivity in both conduct and thinking. It is with extreme trepidation that I would consider including any past or present boxing commissioner in that policy formulating group.

I would however see to it that there were members of the medical field, business community, administrators from other organized sports, legal advisors, media people (print and electronic), as well as carefully selected stalwarts from within our own industry, as part of the initial think tank committee.

Such a neutralized, representative body in concert with the above, can easily rectify the past ills of disharmony, disorganization, disagreement, dissent, discontent, disparity, disarray, dispute, distrust, and oftentimes ultimate despair and total disrepair for many.

Likewise, a dedicated group of federally sponsored and supported organizers can effortlessly implement solid, uniform boxing regulations that are applicable across the board without exception.

Controlled licensing procedures (state & federal) with photos and ID numbers, updated (mandatory) medical exams and records, eligibility allowances and restrictions, adherence to suspensions, centralized record keeping, a national registry of fighters and support personnel, related health and safety features in-place prior to any contest authorization, all are elements woefully absent from the current fragmented system, but well within realistic reach at a minuscule expense in time and effort, relative to the wholesome and far-reaching benefits in improvement.

What might be debatable in my presentation as in any other similar presentation verbal or otherwise, simply is the HOW and the WHO. What is not debatable, is the WHY.

Reform is needed! Reform is long overdue! Reform is sensible! Enforceable, uniform regulations with teeth and substance are required today, in order to establish, preserve and protect the future integrity of the sport. Opposition toward reform by any ill-disposed group, organization and/or individual from within the boxing industry, would be suspect at best in my personal opinion.

At any future, follow-up venue, I would be most honored and pleased to further illuminate the issue and offer additional specifics in detail in my effort to help advance the courageous and magnanimous undertaking of national Boxing Reform.

In your corner and with all due respect, I am Ralph W. Citro.

PREPARED STATEMENT OF DR. VINCENT J. GIOVINAZZO, M.D.

My name is Dr. Vincent Giovinnazzo, and I am an Ophthalmologist, specializing in retinal surgery. I have a special interest and extensive experience in both research and clinical evaluation of the ocular complications of boxing. My manuscript "The Ocular Complications of Boxing," published in the journal Ophthalmology, the official journal of the American Academy of Ophthalmology in June of 1987, is generally regarded as the definitive work on eye injuries in boxing. It is the only truly scientific cross-sectional study on ocular injuries in boxing, or indeed in any sport that is prospective, randomized, and was performed with a matched control population. The use of these scientific methods distinguishes this research from retrospective analyses of specific complications or anecdotal experience in examining larger numbers of boxers and confirms the validity of our data. This data has been quoted in the literature worldwide, and I have spoken on the ocular complications of boxing before many society meetings including the American Academy of Ophthalmology, the Macula Society, and the International Symposium of Ocular Trauma. I am the only physician to have spoken before the American Association of boxing Commissioners. I have been a consultant to the Medical Advisory Board of the New York, State Athletic Commission since 1987.

During course of my medical practice I have examined approximately a thousand boxers in various stages of their careers, both for routine examinations and for evaluation and treatment of injuries. I have performed surgery on scores of boxers for injuries sustained during the sport of boxing.

Boxing is the most dangerous of all sports for the eye. We are all familiar with the story of Sugar Ray Leonard, U.S. Olympic gold medal winner, who continued his career after retinal detachment surgery to regain world titles, and earn over fifty million dollars. Fewer of us are familiar with the story of Sugar Ray Seales, another U.S. Olympic gold medal winner, who after 7 vitreoretinal operations is now bilaterally blind. The tragedy is that most of these ocular complications suf-

ferred from boxing, if detected early, could be treated and would prevent major vision loss.

In a 2 year study of 74 randomly selected asymptomatic boxers, 66 percent had some form of ocular injury. Over 58 percent of these were serious or potentially vision threatening injuries. These injuries specifically involve damage to the angle of the eye, which can lead to glaucoma, retinal tears, which can lead to retinal detachments, macular changes which can cause a; loss of central vision, or cataracts which also diminishes visual acuity.

Nineteen percent of boxers have angle damage, 19 percent of boxers have cataracts, 24 percent of boxers have significant retinal tears, and 8 percent of boxers have macular injuries. When compared to matched controls of the same age (25 years), race and sex, the number of injuries found in boxers is not only statistically significant, but alarmingly high.

The most serious vision threatening injury acutely found in the examination of boxers are retinal tears. Statistical analysis shows that the number of retinal tears is directly related to the total number of bouts a boxer has, and the total number of losses he sustains. This is not surprising as the final common denominator is probably the number of blows that he suffered. The prevalence of retinal tears after six bouts and two losses is approximately 20 percent. After 100 fights, the presence of retinal tears is close to 90 percent.

Specific recommendations for examination and treatment of boxers can be made by an evaluation of the data available on the type and prevalence of ocular injuries. These reforms include:

Examination of Boxers

1. There should be specific requirements regarding ocular examinations of boxers as follows:

a. An initial complete eye examination should be required before licensure for either amateur or professional boxing. This initial examination should include visual acuity, visual fields, slit-lamp biomicroscopy, intraocular pressure measurement, gonioscopy, and a dilated vitreoretinal examination including indirect ophthalmoscopy with scleral depression by an ophthalmologist.

b. A repeat, complete eye examination should be performed after one year, 6 bouts, 2 losses, the stopping of a fight after an eye injury, or at the discretion of the ringside physician.

2. A mandatory, temporary suspension from sparring or boxing should be required for specific ocular pathology. When a retinal tear is identified and treated, a minimum 30-day suspension from the ring should be enforced. When a retinal detachment is treated and if a boxer is to resume his career, a minimum of 60 days mandatory suspension should be enforced. When a retinal detachment is treated and if a boxer is to resume his career, a minimum of 60 days mandatory suspension should be enforced. Suspensions may be individualized in consultation with the medical advisory board of each state athletic commission.

3. The minimal visual requirements for boxing should be:

a. A corrected visual acuity of 20/50 or better in each eye.

b. A full central visual field of not less than 30 degrees in each eye.

4. An ophthalmologist should serve on each state and degrees in each eye.

Safety Equipment

5. There should be adopted by state and local licensing agencies adequate safety equipment to minimize ocular injuries. The thumb of most regulation boxing gloves is small enough to penetrate the orbital rim. It is an important cause of blunt ocular trauma sustained in the use of the thumbless boxing glove. The use of the thumbless boxing glove should be mandatory not only in all amateur and professional bouts, but also in all sparring matches.

Regulations

6. There should be established in the United States a "National Registry of Boxers" for all amateur and professional boxers including sparring mates. A computer-based, central registry of this kind would be effective in recording licensed bouts and specifically noting technical knockouts, knockouts, and significant ocular injuries. When a bout is stopped because of an ocular injury, proper records and documentation should insure adequate examinations of injured boxers.

7. There should be a program of training and recertification of ringside physicians in the proper identification of serious eye injuries sustained in the ring. The diagnosis of serious eye injuries and specific criteria for suspension of a bout should be emphasized during this training period. Seminars should be planned and conducted in cooperation with the American Association of Ringside Physicians and the American Academy of Ophthalmology.

8. There should be adopted by state and local licensing agencies a uniform code of safety requiring that a boxing match shall be stopped upon the occurrence of specified ocular symptoms or injuries such as visual field loss and blood in the anterior or posterior segment of the eye.

These reforms which were first published in my article, "The Ocular Complications of Boxing," have been adopted as a formal policy statement by the American Academy of Ophthalmology.

A high incidence of ocular injuries occurs in boxers, but many of these injuries are treatable if detected early. A complete, dilated eye examination by an ophthalmologist is necessary to diagnose ocular injuries before they cause visual loss. Uniform regulations, enacted on a nationwide basis, mandating required eye examinations and safety equipment, will reduce the frequency and severity of ocular injuries in boxing.

[“Prospective Analysis of the California Athletic Commission Neurological Examination for Professional Boxers,” by Albert H. Capanna, M.D., and Joseph C. LaMancusa, M.D.; and “Florida State Athletic Commission Participant Passport,” State of Florida Order of Mandatory Suspension, and membership list of Florida State Athletic Commission may be found in the committee files.]

[The New York Daily News, Mar. 11, 1994]

ULTIMATE FIGHTING CHAMPIONSHIP II

(By Mark Kriegel)

On March 11, Jim Brown—the greatest of all football players, and a self-proclaimed apostle in the war on violence—will provide color commentary for something called “The Ultimate Fighting Championship II.” For \$14.95, cable viewers will be able to gorge themselves, a visual feast of broken bones and blood. There are no gloves allowed, as these are bare-knuckled contests between experts of various fighting disciplines.

The fights, staged in a ring enclosed with chicken wire, are nothing short of gruesome. You can open up a guy pretty good with an elbow or a knee, a head butt or an uncontested, bare-fisted haymaker. The promotional video is heavy on defenseless fighters getting stomped on the canvas. “Each match will run until there is a designated winner,” according to the accompanying press release, “by means of knockout, surrender, doctor’s intervention or death.”

It is not by coincidence that the site will be Denver, where there is no state athletic commission and no rules. Unlike the first Ultimate Fighting Championship, this time fighters will be allowed—encouraged, perhaps—to kick and punch each other in the groin.

Ultimate Fighting exists as the game *Mortal Kombat* come to life, something that strikes at the dead heart of a violent video culture. This isn’t fake wrestling. This is real, and as such promises to be as brilliant as it is lowbrow.

Ultimate Fighting Championship should do for violence what Howard Stern’s New Year’s Eve did for comedy.

The thing is, it’s a cheap laugh. Just a cheap thrill.

The brains behind Ultimate Fighting is Campbell McLaren, who studied film at Berkeley and MIT. “Is violence selling this? Yes,” he says.

Ultimate Fighting I aired last November just as the attorney general was holding hearings on the effects of violence on television. “We picked up a little controversy with that,” said McLaren. “That never hurts.”

About 100,000 households bought the last show, the highlight of which was a Sumo wrestler who suffered a terrible gash over his eye and had to be taken from the ring after 26 seconds, minus two teeth.

“It’s conceivably the most brutal thing ever on TV,” says McLaren.

Enter Jim Brown, football player, action hero, much-accused woman-beater, crusader.

“We got Jim Brown involved very purposefully,” said McLaren.

He’ll be doing more than the color commentary. He’ll be there, along with two Bloods and two Crips, to promote his Amer-I-Can program, which is supposed to rescue city kids from gangs and guns. “I’ve never heard of drive-by kicking,” said McLaren.

No, but the culture of violence has roots in the arcade and video versions of *Mortal Kombat*. It’s about kids who mistake Pacino’s “Scarface” and Schwarzenegger’s

"Terminator" for documentaries, who have been rendered numb and dumb by all the kung-fu flicks, who have come to worship violence, about children who have lost the ability to distinguish between real and fake, right from wrong. Kids shoot each other for a lot of reasons, but for too many pulling the trigger on a nine has become about as real as fiddling with the joystick on the Nintendo.

McLaren has a right to make a buck, however distasteful or even perverse. No one will be forced to pay \$14.95.

But Jim Brown is the worst kind of fraud here.

Jim Brown says he's trying to stop the violence.

While getting paid to promote it.

A portion of the proceeds are supposed to go to Amer-I-Can. But that doesn't exactly qualify Jim Brown as a role model. No fluffy chat with Roy Firestone changes the truth; Jim Brown is hyping and helping the worship of violence.

Jim Brown did not respond to a request to be interviewed Monday. So all there is to judge him by is his resume. Before inventing Amer-I-Can, he was by various turns the greatest football player, an actor in the "Dirty Dozen" and a big Hollywood party guy who had quite a way with the ladies.

In 1965, he was arrested for beating and sexually molesting two teenage girls. One of the kids dropped charges. Brown was found not guilty of attacking the other.

Three years later, he was arrested for assault with intent to commit murder after his girlfriend was found semiconscious under his apartment balcony. The girlfriend also dropped charges. Brown got off with a \$300 fine for resisting arrest.

In 1978, he served a day in jail for beating up a golf partner after an argument over ball placement on the greens.

In 1985, Brown was charged with beating and raping a woman in his home. Prosecutors later dismissed the case.

A year later, Brown was busted again for beating up another girlfriend. She dropped the charges, too.

You got the picture. Maybe after he rids the streets of gang violence, he can sign up for another public-service campaign: Don't Dis Your Sis.

[The Florida State Athletic Commission Suspension/Disciplinary List of January 12, 1994 and miscellaneous fighters' records may be found in the committee files.]

○

BOSTON PUBLIC LIBRARY



3 9999 05982 206 2

ISBN 0-16-046067-0



90000



9 780160 460678